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Forty-fifth session
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

United Nations Voluntary Fund for Indigenous Populations

Report of the Secretary-General

1. The United Nations Voluntary Fund for Indigenous Populations was established pursuant to General Assembly resolution 40/131 of 13 December 1985 with the purpose of providing financial assistance to representatives of indigenous communities and organizations who wish to participate in the deliberations of the Working Group on Indigenous Populations. The Working Group, which was established pursuant to Economic and Social Council resolution 1982/34 of 7 May 1982, is a subsidiary organ of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and meets annually in Geneva. The Group has a two-fold mandate: to review developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous peoples and to evolve international standards concerning indigenous rights.

2. The Voluntary Fund is administered by the Secretary-General in accordance with the Financial Regulations and Rules of the United Nations and other provisions relevant to this Fund (see E/CN.4/Sub.2/1983/20). In this task the Secretary-General is advised by a Board of Trustees composed of five persons with relevant experience on indigenous issues and serving in their personal capacity. The members of the Board are appointed by the Secretary-General for a three-year term renewable in consultation with the Chairman of the Sub-Commission. At least one of the members of the Board shall be a representative of a widely recognized organization of indigenous peoples. The report of the first session of the Board of Trustees was presented to the General Assembly at its forty-third session in 1988 (A/43/706).

3. The Board of Trustees held its second session in April 1989 in anticipation of the Working Group's seventh session in August 1989, and its third session in April 1990 in anticipation of the Working Group's eighth session in August 1990.

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The Board is composed of Mr. Leif Dunfjeld, Mr. Alioune Séné, Mr. Hiwi Tauroa, Mr. Danilo Türk and Mr. Augusto Willemsen-Díaz, who has served as the Board's Chairman at all of its three sessions. In accordance with consultations held, it is foreseen that the five members will be reappointed this year to another three-year term.

4. The General Assembly, in resolution 40/131, laid down certain criteria which beneficiaries of assistance from the Fund must meet. The Board of Trustees has developed more detailed elements for selection criteria, and these criteria are reflected in a questionnaire sent out with letters informing indigenous peoples about activities of the Voluntary Fund prior to meetings of the Board.

5. In its resolution 40/131 the General Assembly foresaw funding by means of voluntary contributions from Governments, non-governmental organizations and other private or public entities. As at 1 October 1990, in response to requests issued by the Secretary-General, contributions had been received in 1989 and 1990 from the following Governments:

Government	Amount (United States dollars)
Australia	7 535
Canada	59 631
Cyprus	500
Denmark	10 000
Finland	30 559
Netherlands	10 130
New Zealand	18 824
Norway	39 990
Philippines	473
Sweden	10 685
Switzerland	16 556

6. In addition, during the same period, the Baha'i International Community and the Shimin Gaikou Centre (Japan) have made contributions to the Fund in the amount of $3,000 and $1,500, respectively.

7. At its second and third sessions, the Board examined requests for financial assistance for 93 and 74 indigenous representatives. In the light of the funds available, it recommended at its second session the awarding of 37 travel and subsistence grants. The 37 beneficiaries came from 21 countries, namely, Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, India, Mexico, New Zealand, Nicaragua, Panama, Paraguay, Peru, the Philippines, Suriname, the United Republic of Tanzania, the United States of America and Venezuela. At its third session it recommended the awarding of 21 travel and subsistence grants. The beneficiaries came from 21 countries, namely, Argentina, Australia, Belize, Bolivia, Canada, Chile, Colombia, Costa Rica, Ecuador, India, Malaysia, Mexico, New Zealand, Nicaragua, Panama, Paraguay, Peru, Philippines, Sri Lanka, the United States of America and Venezuela. The Secretary-General endorsed the recommendations of the Board.

8. Of the selected beneficiaries, 35 representatives attended the seventh session of the Working Group on Indigenous Populations, which took place at Geneva from 31 July to 4 August 1989, and 19 representatives attended the eighth session of the Working Group, which took place at Geneva from 23 July to 3 August 1990. The reports of the sessions are issued in documents E/CN.4/Sub.2/1989/36 and E/CN.4/Sub.2/1990/42.

9. The fourth session of the Board of Trustees is scheduled to be held in April 1991 in advance of the Working Group's ninth session in August 1991.

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UNITED NATIONS PENSION SYSTEM

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the United Nations Joint Staff Pension Board to the General Assembly at its forty-fifth session. 1/ The Committee also had before it the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund (A/C.5/45/7). The Committee received additional information from the secretariat of the Fund, and, with regard to the Fund's investments, from representatives of the Secretary-General.

I. ACTUARIAL MATTERS

2. Paragraphs 12 to 15 of the Board's report deal with actuarial matters, including the methodology and assumptions for the actuarial valuation of the Fund scheduled for 31 December 1990. As indicated in paragraph 12, "the Board examined and approved the actuarial assumptions proposed by the Committee of Actuaries". In this connection, the Committee recalls that the primary purpose of actuarial valuations is to determine whether the present and estimated future assets of the Fund will be sufficient to meet its liabilities.

3. The Advisory Committee notes from paragraph 13 that the Board agreed that the "regular" economic assumptions should remain unchanged and that the new demographic assumptions, relating to the rates of withdrawal, death in service, disability, early retirement and retirement first used in the 31 December 1988 valuation "appeared satisfactory and that therefore no changes should be made in the forthcoming valuation" (para. 14). However, it was decided to decrease the rates of male mortality after retirement for the next valuation (para. 18). The Board also agreed with the Committee of Actuaries that the forthcoming valuation "should be based on population growth assumptions consistent with those used in the previous [31 December 1988] valuation" (para. 20).

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II. INVESTMENTS OF THE FUND

4. Investment issues, including the management of the Fund's assets, are discussed in paragraphs 26 to 41 and 134 to 136 of the Board's report; the annual report of the Secretary-General on investments of the Fund is contained in document A/C.5/45/7. Matters relating to the Fund's investments are also discussed in the report of the Board of Auditors to the General Assembly, which is contained in annex III of the Board's report.

5. As indicated in both the Board's report and that of the Secretary-General, the market value of the Fund's assets, as at 31 March 1990, amounted to $8,558 million, an increase of $926 million from the value as at 31 March 1989. The investment return for the year ended 31 March 1990 was 11.56 per cent, which, when adjusted for inflation, represents a "real" rate of return of 6.03 per cent. In this connection, the Advisory Committee notes that "the techniques used in measuring the investment return are in accordance with the standards used by most pension funds" (A/C.5/45/7, para. 6). The Secretary-General also is of the view that given "the volatility of the financial markets, the comparatively weak bond markets outside the United States, the rise in interest rates, the weaker Japanese yen and its markets, the return achieved by the Fund can be considered good and compares favourably with other pension funds" (ibid., para. 7).

6. The Advisory Committee notes from schedule 4 of annex II that the total taxes withheld by countries on investment income as at 31 December 1989 amounted to $11,048,461; the corresponding total as at 31 December 1988 was $5.91 million.

7. The Advisory Committee also notes from paragraph 13 of the Board of Auditors report (see annex III) that the increase "is partly due to the increase in income of the Fund and partly due to cut-off dates for preparing the reports". The Board of Auditors goes on to state that "considering that the amount of tax refunds continues to grow, the Fund should exert more efforts in securing tax exempt status in countries where investments are being made" (para. 14).

8. The Advisory Committee notes the Administration's reply that "excessive effort has been exerted in securing tax withheld and tax exemption in countries where investments have been made. The practice of reducing or not initiating investments in countries which have refused to grant [tax exemptions] or refund taxes withheld has been in effect for several years. There is a limit to what the Fund can do to secure taxes withheld and we believe that we have exploited most avenues available to us. We will continue to explore other means" (ibid., para. 15). In this connection, the Committee also notes from paragraph 134 of the Board's report that the representative of the Secretary-General had stated that he "would consider the gradual divestment of the Fund's holdings in these countries so as not to endanger the Fund's tax exempt status elsewhere, even though the investment returns were above average in some cases".

9. The Advisory Committee shares the Board of Auditor's concern over this matter; indeed, the Committee has highlighted this question in its recent reports. The Committee also supports the divestment of the Fund's holdings in those countries which refuse to exempt the Fund's investment transactions from national taxes.

III. ADMINISTRATIVE EXPENSES

10. As indicated in paragraph 139 of the Board's report, "the General Assembly approved expenses, chargeable to the United Nations Joint Staff Pension Fund, totalling $30,573,400 (net) for the biennium 1990-1991, for the administration of the Fund", comprising $10,259,400 for administrative costs and $20,314,000 for investment costs. The Advisory Committee notes that no supplementary estimates are being proposed at this time. In this connection, the Committee understands that the additional cost of the special session of the Board held in 1990 as well as the convening of various working groups has, thus far, been absorbed.

11. As indicated in the Advisory Committee's report (A/44/682), the amount of $10,259,400 for administrative costs included resource growth totalling some $2.6 million (at 1989 rates), most of which related "to the cost of enhancing the administrative and operational capacity of the Fund's secretariat" (para. 21). A progress report on improvements in the administrative and operational capacities of the Fund's secretariat is provided in paragraphs 140 to 151 of the Board's current report; the progress report also includes information on the new computer system.

12. The Advisory Committee notes 2/ that "a systems analyst has been assigned full time to the project of defining and designing a new integrated system, with the assistance of an outside consultant", and that "it is expected that the first two phases of the project, i.e., delineating the requirements and developing the logical design of the system, will be completed by the end of November". As indicated in paragraph 145, the next phase of the project will be the physical design of the system, including the identification of specific hardware needs; once that has been completed the final phase of programming and implementation will begin. In this connection, the Advisory Committee notes that "it is hoped that major parts of the new system can be implemented by 1992". 3/ The Committee also notes that "contacts are maintained with the United Nations regarding its computer projects", particularly the Integrated Management Information System (IMIS).

13. In the opinion of the Advisory Committee, every effort should be made to implement the new system on schedule; in this connection, it notes that some problems described under management issues in the Board of Auditors report (see annex III) would be alleviated by the introduction of improved data processing/computerization.

14. The budget for the biennium 1990-1991 also included resource growth for a project to convert hard-copy retirement records to the optical-disc medium; it was originally estimated that the project would be completed during the biennium 1990-1991. However, because of recent technological advances described in paragraph 146, the conversion project has been delayed "until a decision is made on the optical disc-based image system which can best meet the present and future requirements of the Fund, taking into account the United Nations plans as regards optical-disc imaging".

15. The question of office accommodation is discussed in paragraphs 148 to 150 of the Board's report. As noted therein, in the opinion of the Board, "a long-term approach should be taken to the office accommodation problem" and it "requested its

Secretary to study possible long-term solutions to the problem, with the assistance of an outside consultant as appropriate, as well as the cost implications of a move to another location, both for the Fund and for the United Nations" (para. 151). In the mean time, the Board agreed that the construction of modular work-stations to improve current accommodations should proceed.

16. The Advisory Committee believes that it is important that special attention be given to the solution of the problem of office accommodation in the Fund, in the interest of maintaining and enhancing staff productivity and morale. The Committee shares the view of the Board concerning the need for a long-term approach to the office accommodation problem and requests that it be informed of the progress in this regard and of the outcome of the above-mentioned study.

IV. OTHER MATTERS

17. The Board's report discusses a number of other matters, including the comprehensive review of the pensionable remuneration and consequent pensions of staff in the Professional and higher categories (paras. 42-69), and the arrangements for the corresponding review for staff in the General Service and other locally recruited categories (paras. 70-75). The pension adjustment system is addressed in paragraphs 76 to 132 of the Board's report.

18. Paragraphs 47 to 55 of the Board's report deal with the methodology for the determination of the scale of pensionable remuneration and its subsequent adjustment; this was discussed by the Board at its special sessions in February, June and August. As indicated in paragraph 54, the Board, at its special session in August, inter alia, reaffirmed its position supporting the 1986 methodology and the current interim adjustment procedure, which is consistent with that methodology. The Advisory Committee notes that this interim adjustment procedure is that used for adjusting the scale of pensionable remuneration between comprehensive reviews and should not be confused with the interim floor measure discussed under section E, "Pension adjustment system", of the Board's report.

19. The Advisory Committee notes that, at its special session, the Board also "took note" of the recommendation of the International Civil Service Commission (ICSC) to establish a pensionable remuneration margin range, there having been no consensus reached in the Board on this question, as indicated in the discussion in paragraphs 51 and 55 of the Board's report.

20. The question of pensionable remuneration of ungraded officials and of that resulting from longevity steps not covered by article 54 (b) of the Regulations of the Fund is discussed in paragraphs 57 to 69 of the Board's report. With regard to the former, the Committee notes that the Board agreed that the organizations should be given an opportunity to apprise their governing bodies and executive heads of the information and suggestions submitted on the matter and that the organizations should inform the Board of their views prior to its next regular session, "so as to enable the Board to arrive at decisions on possible changes in the Regulations to be recommended to the General Assembly" (para. 64). With regard to the question of longevity and/or merit steps beyond the maximum step of the scale of pensionable remuneration, the Board has decided "to defer consideration of this issue ... to

await the recommendations of ICSC to the legislative bodies concerned and their responses to such recommendations" (para. 68).

21. The pension adjustment system is discussed at length in paragraphs 76 to 132 of the Board's report. As recalled therein, a two-track pension adjustment system has been applied since 1979: "its basic purpose is to provide a measure of protection of the value of benefits, as established in dollars under the Regulations, against the effects of inflation and, for beneficiaries residing outside the United States, to ensure that their dollar entitlement translates into adequate amounts in local currency" (para. 81). The Advisory Committee notes from the same paragraph that "in determining the degree of protection to be provided, the current and future financial resources of the Fund have to be taken into account on the occasion of each review, as the General Assembly has consistently stipulated that changes in the system should not give rise to increases in the present or future financial liabilities of Member States".

22. Under this two-track system, and for the reasons summarized in paragraph 77, an interim floor measure was approved by the General Assembly in its resolution 42/222 of 21 December 1987 for the period 1 January 1988-31 December 1990. In this connection, the Advisory Committee notes that "the intention of the proposal was to arrest the decline in the amount of the initial local currency pension, by a measure analogous to that implemented by ICSC to stabilize net remuneration in local currencies, pending the completion of the comprehensive review in 1990" (para. 92). Because the General Assembly stipulated that such a measure "would not constitute an acquired right", the Board "examined various modifications of the current provisions of the pension adjustment system to replace the interim floor measure"; these are described in paragraphs 89 to 113 of the Board's report.

23. As explained in paragraph 95, each of the long-term modifications would yield a lower initial local currency pension than obtained under the interim floor measure. Accordingly, as stated in paragraph 114, the Board, "after extensive negotiations", inter alia, agreed by consensus that "there was need for a transitional measure which would be applicable to a specific group of participants ... for a limited period"; the Board is therefore recommending to the General Assembly "the establishment of personal 'floor' amounts for the initial local currency pensions of participants in the Professional and higher categories, corresponding to the initial local currency pensions they would have received had they separated on 31 December 1990 [at the age and with the final average remuneration attained as at that date], on the understanding that such 'floor' amounts would be applicable only to participants qualified for a retirement or early retirement benefit on 31 December 1990 who separate on or before 31 March 1992".

24. The Advisory Committee was informed that the number of participants who would be eligible for the transitional measure if they separated between 1 January 1991 and 31 March 1992 was limited (see para. 107 of the Board's report). The Committee also notes and concurs in the Board's view that the measure should not be construed as constituting a precedent or an acquired right.

25. No agreement was reached in the Board on a long-term modification of the pension adjustment system. The Advisory Committee notes, however, that,

notwithstanding the Board's recognition that "cost implications were an important consideration in arriving at conclusions as to what, and the pace at which, long-term modifications of the system should be pursued" (para. 116), "there was ... general agreement in the Board that, in examining possible modifications of the system, greater recognition should be given to the cost-of-living differences at locations with higher post adjustment classifications than New York, as well as to the income replacement concept" (para. 123). The Board also agreed that "any modification should not result in a reduction in the universal base dollar pension entitlements under the Regulations of the Fund" (ibid.).

26. The Advisory Committee concurs in the Board's view concerning the universal base dollar pension entitlements. However, in considering the Board's above-quoted position concerning the need to give greater recognition to cost-of-living differences, the Committee recalls that in its resolution 31/196 of 22 December 1976 on the report of the United Nations Joint Staff Pension Board, the General Assembly decided that "one of the guidelines for the future deliberations of the United Nations Joint Staff Pension Board should be that the principle of compensating by whatever means for country-to-country differences in the cost of living should be given limited recognition falling short of equality of purchasing power so as to ensure that the new scheme does not require an increase in the present or future financial liabilities of Member States".

27. In the opinion of the Advisory Committee, the above-quoted guideline should continue to govern the deliberations and decisions taken regarding any modification to the system. The Advisory Committee also cautions against the introduction of more complexity to an already complex system and, in this connection, it points out that measures taken to redress one imbalance often in turn lead to others which require adjustments. The Committee therefore urges the Preparatory Group that has been established by the Board to examine various modifications of the pension adjustment system to bear these considerations in mind and, as indicated in paragraph 128 (d), to "give paramount consideration to the need to observe the decisions of the General Assembly reflected in past resolutions" and to "consider all possible savings measures".

28. The Advisory Committee notes from paragraph 132 that, as a consequence of the introduction of the restructured scale of pensionable remuneration on 1 July 1990, the Board recommends that paragraph 5 (b) (i) of section C of the pension adjustment system be amended in order to replace the reference to grade P-2, step XI, with a reference to grade P-2, top step.

Notes

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 9 (A/45/9).

2/ Ibid., para. 144.

3/ Ibid., para. 145.

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GENERAL ASSEMBLY
Forty-fifth session
Agenda items 35 and 153
THE SITUATION IN THE MIDDLE EAST
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-fifth year

Letter dated 30 October 1990 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

We have the honour to transmit the texts, in English and French, of the declarations of the European Community on the Gulf crisis (see annex I) and on the Middle East (see annex II).

We should be grateful if you would have the text of the present letter and its annexes circulated as a document of the General Assembly, under agenda items 35 and 153, and of the Security Council.

(Signed) Vieri TRAXLER
Ambassador

ANNEX I

Declaration on the Gulf crisis

The European Council expresses its deep concern at the continuing deadlock in the Gulf crisis, with the persistent violation of international legality by Iraq, and in particular the prolonged and destructive occupation of Kuwait, the oppression and deportation of its population, the holding of foreign hostages and the repeated violations of conventions governing diplomatic relations. Such acts cannot be tolerated. The European Community and its member States attach the highest priority to the solution of this crisis, on the basis of the United Nations Security Council resolutions, and reaffirm that no solution is possible without the prior implementation of these resolutions.

The European Council demands that Iraq immediately, completely and unconditionally withdraw its forces from Kuwait, that the legitimate Government of Kuwait be restored and that all foreign citizens who so desire be allowed to leave Iraq and Kuwait.

The European Council, in accordance with the relevant resolutions of the United Nations Security Council, condemns the Iraqi practice of holding foreign nationals as hostages and keeping some of them in strategic sites; it reminds Iraq of its international obligations in this respect and holds the Iraqi Government fully responsible for their safety. The member States of the European Community reaffirm their total solidarity in achieving the freedom of all foreign citizens trapped in Iraq and Kuwait and denounce the unscrupulous use that Iraq is making of them with the sole and vain purpose of trying to divide the international community. They unreservedly condemn this manoeuvre which, carried out in contempt of the most basic humanitarian rules, can only complicate prospects for a solution to the crisis. They affirm their determination not to send representatives of their Governments in any capacity to negotiate with Iraq the release of foreign hostages and to discourage others from doing so. They ask the Security Council to continue its efforts to achieve the immediate departure of all hostages and they encourage the Secretary-General to send a special representative to Iraq to this end.

The European Council also demands that, in accordance with the Vienna Convention, Iraq permit the free and unhindered departure of diplomats accredited to Kuwait who are at present prevented from leaving Iraq.

The European Council expresses its satisfaction at the high degree of consensus among all members of the United Nations Security Council and the international community as a whole on the above principles. It believes that such a consensus needs to be preserved in order for a peaceful solution of the crisis to be achieved. The Community and its member States are determined scrupulously to adhere to the embargo and to the other measures decided by the Security Council and call upon all other States to act in the same way. They are also prepared to consider additional steps consistent with the Charter of the United Nations.

The Presidency will notify the Iraqi Government of the text of this declaration.

/...

ANNEX II

Declaration on the Middle East

The European Council expresses its deep dismay at the continuing violence in Lebanon. It hopes that a process of national reconciliation will effectively develop in that country. It reaffirms its strong support for the implementation of the Taif Agreements, which must be carried out by all concerned as soon as possible, thus bringing about the full restoration of the sovereignty, independence, unity and territorial integrity of a Lebanon free of all foreign troops. The European Council calls upon all parties in Lebanon to take part in this process and to co-operate with a view to the immediate restoration of conditions preventing the recurrence of such violence. The European Community and its member States will continue to support that process fully and stand ready to participate in the reconstruction of the country.

The European Council reaffirms its long-standing commitment to a just solution to the other problems of the region and the determination of the Community and its member States to spare no efforts to that end.

In this context, it intends to work for a comprehensive, just and lasting settlement of the Arab-Israeli conflict and the Palestinian problem in conformity with the relevant resolutions of the United Nations Security Council and the principles set out by the Community in its previous declarations. To this end, it repeats once again its support for the principle of the convening, at an appropriate time, of an international peace conference.

The lack of any progress in the search for a peaceful settlement of the Arab-Israeli conflict is a source of deep concern to the Community and its member States, which are determined to encourage all efforts to promote dialogue between the parties directly concerned. The European Council welcomes United Nations Security Council resolutions 672 (1990) and 673 (1990), reaffirms its support for the role that the United Nations can and should play in protecting the rights of the Palestinian people, and calls once more upon Israel to meet its obligations under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and to co-operate with the United Nations. The tragic events that have occurred in Jerusalem show once more that the status quo in the occupied territories is unsustainable. Just as the Community and its member States deplored those events, so they express the same feelings concerning the tragic acts of violence committed against Israeli citizens. Reminding all concerned that violence breeds violence, they repeat their appeal for calm and restraint.

The European Council welcomes the normalization of the relations between the Community and its member States and the Islamic Republic of Iran.

The European Council believes that all opportunities should be taken for the solution of the conflicts in the region. It is convinced that relations of trust and co-operation must be fostered among the countries of the region so as to establish a situation of stability, security, economic and social welfare and

respect for civil and political rights, to prevent the recurrence of crisis, to curb the arms race and to prevent the proliferation of weapons of mass destruction. The Community and its member States are ready to co-operate with the countries concerned in the search for principles, rules and structures to that end and to contribute to the success of the task entrusted by relevant resolutions to the United Nations Secretary-General to examine measures to enhance security and stability in the region.

Just and lasting solutions to the different problems of the region can only contribute to strengthening the historical links between Europe and the countries of the Middle East and to giving full meaning to the role that the Arab world should play in the international community.

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Agenda items 68, 69 and 139

STRENGTHENING OF SECURITY AND CO-OPERATION IN THE MEDITERRANEAN REGION

REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

PEACEFUL SETTLEMENT OF DISPUTES BETWEEN STATES

Letter dated 1 November 1990 from the Permanent Representative of Albania to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the facsimile copy of the letter dated 30 October 1990 that the Minister for Foreign Affairs of the People's Socialist Republic of Albania, Mr. Reis Malile has addressed to you (see annex). Enclosed you will also find the texts of the joint communiqué, as well as the message from the Meeting of the Ministers for Foreign Affairs of the Balkan States, which was held at Tirana on 24 and 25 October 1990, to the Paris summit meeting of the Conference on Security and Co-operation in Europe, to be held in November 1990.

The originals of the letter and of the documents will be sent to your office as soon as they arrive with the diplomatic mail.

I would be grateful if the text of the present letter and its annex were circulated as a document of the General Assembly under agenda items 68, 69 and 139.

(Signed) Bashkim PITARKA
Ambassador
Permanent Representative of the
People's Socialist Republic of
Albania to the United Nations

ANNEX

Letter dated 30 October 1990 from the Minister for Foreign Affairs of Albania to the Secretary-General

Allow me in the first place to extend to you the sincere thanks for the message you addressed to the Meeting of the Ministers for Foreign Affairs of the Balkan States, held at Tirana on 24 and 25 October 1990.

Availing myself of this occasion, I have the pleasure to inform you that the Tirana meeting highly appraised the role of the United Nations as an important instrument for the preservation of peace and security, as well as for the democratization of international relations.

In my capacity as representative of the host country, I have the honour to enclose herewith the joint communiqué (see appendix I) of the Meeting of the Ministers for Foreign Affairs of the Balkan States and to kindly request that it be distributed as an official document of the United Nations.

I am also enclosing herewith, for your knowledge, a copy of the message (see appendix II) that the above-mentioned meeting decided to address to the Paris summit Conference on Security and Co-operation in Europe to be held in November this year.

(Signed) Reis MALILE

APPENDIX I

Joint communiqué

The Ministers for Foreign Affairs of the Balkan States met at Tirana, on 24 and 25 October 1990.

The Chairman of the Presidium of the People's Assembly of the People's Socialist Republic of Albania, Ramiz Alia, addressed the meeting.

The meeting was attended by: The Minister for Foreign Affairs of the People's Republic of Bulgaria, Lyuben Gotsev; the Minister for Foreign Affairs of the Hellenic Republic, Antonis Samaras; the Minister for Foreign Affairs of Romania, Adrian Nastase; the Minister for Foreign Affairs of the Republic of Turkey, Ahmet Kurtcebe Alptemoçin; the Federal Secretary for Foreign Affairs of the Socialist Federal Republic of Yugoslavia, Budimir Loncar, and the Minister for Foreign Affairs of the People's Socialist Republic of Albania, Reis Malile, who was elected Chairman of the meeting.

In a friendly and co-operative spirit, the ministers exchanged views and appraised the advancement of the process of Balkan co-operation to date, which was initiated with the first Meeting of the Ministers for Foreign Affairs at Belgrade in 1988, and defined the main lines and objectives of this process for the future.

They noted with satisfaction that all the Balkan peoples have hailed and the international public opinion has well-received Balkan co-operation as a realistic course to the benefit of the national interests of participating countries, of peace and security in the region, which is in harmony with the positive developments that are currently taking place on the European scene.

The ministers pointed out the importance of Balkan activities successfully carried out so far in various fields of common interest and agreed that the co-operation in the fields already specified, or to be further identified, should be materialized in concrete terms, including signing of relevant agreements.

The ministers underlined that the multilateral co-operation, as a positive political element in the Balkans, does also provide favourable conditions for the strengthening of bilateral relations, which remain an important factor for the improvement of the overall atmosphere and development of substantial co-operation.

The ministers reiterated the strict adherence of their countries to the principles of respect for independence, sovereignty, territorial integrity, inviolability of frontiers, equal rights and non-interference in internal affairs. They underlined that the situation in Europe and in the world has significantly changed since the Belgrade meeting and that recent developments in Europe are in line with the process of the Conference on Security and Co-operation in Europe (CSCE), which is actually moving towards its institutionalization. The ministers observed that a new concept of European security, away from the spirit of divisions and confrontation, based on understanding, mutual confidence and

co-operation, is taking shape. They expressed the view that political stability is closely linked with economic development and co-operation.

Consistent with these realities, the ministers reaffirmed the commitment of their countries to consolidate and further promote Balkan co-operation on the political, economic, cultural and humanitarian planes, and raise it to a new qualitative stage.

The ministers stressed that Balkan co-operation is an integral part of positive European processes. A stable Balkans, which is advancing on the course of current developments, is a factor of peace and security for the entire Mediterranean region and Europe.

The meeting hails the Paris CSCE summit and decided to forward a message to it.

The ministers emphasized their countries' commitment to democracy and common European values, in compliance with the Helsinki Final Act and other CSCE documents, thus making their contribution with a sense of responsibility to a better future in Europe.

The ministers underlined, along with the strengthening of regional groupings and co-operation, the enhanced role of the United Nations Organization, which remains an important instrument for the preservation of peace and security, as well as for the democratization of international relations.

Having in mind a common commitment of the Balkan countries that would satisfy the aspirations of their own peoples for peace and good-neighbourliness, and willing to contribute to the deepening of the processes that have already occurred in the continent, the ministers agreed that a working group should be set up to elaborate a document of principles of good-neighbourliness in the Balkans based on the Charter of the United Nations, the CSCE documents and international precedents.

Recognizing that the positive attitude towards national minorities, as referred to in the Helsinki Final Act and the corresponding CSCE documents and in accordance with principles enshrined in the Charter of the United Nations, is one of the basic factors of good-neighbourliness, mutual confidence, stability, cohesion and democracy in the Balkans, the Ministers agreed that persons belonging to the national minorities, have the right, within the existing constitutional order of their country, which guarantees equal rights and status for all, to freely express, preserve and develop their ethnic, cultural, linguistic and religious identity, and to enjoy all human rights and fundamental freedoms in full equality with other citizens.

The ministers reaffirmed the determination of the Balkan countries to consolidate the progress achieved in various fields of inter-Balkan co-operation and to extend their multilateral political dialogue.

The ministers reiterated the wish for the materialization of contacts among their respective parliaments by creating parliamentary groups of Balkan multilateral co-operation.

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The proposal to hold a meeting of Heads of State or Government of the Balkan countries was discussed, and the importance of creating the conditions for convening it in the near future was underlined. The ministers agreed to revert to the subject at their next meeting.

The ministers agreed that the Meetings of Ministers for Foreign Affairs of Balkan States will be held annually. The next meeting will be convened at Sofia in the fall of 1991.

The ministers decided that, in view of the increased activities of Balkan co-operation, the country that hosts the Foreign Ministers' meeting should play the role of co-ordinator until the next ministerial meeting.

The ministers devoted particular attention to the economic co-operation among the Balkan countries, considering it to be very important for the promotion of overall relations in the region. Having that in mind and in order to provide guidance for the objectives, scope and organizational framework and economic dimension of the Balkan co-operation, they recommended that economy or foreign trade ministers of the Balkan countries should meet on a yearly basis.

They also stressed that the preparations for the establishment in Athens of the Research Institute for Balkan Economic Co-operation should be intensified.

The ministers recommended that the next meeting of the ministers of transport should be convened at Tirana in 1991.

The ministers also recommended that a meeting of the ministers of health should be convened in Turkey in 1991.

The ministers underlined the need to embark upon new and concrete activities to ensure a more extensive utilization of opportunities for expanding co-operation in the field of trade, including the exchange of commodities and services and border trade, transport, industry, tourism, energy, agriculture and water management, veterinary medicine and protection of plants and forests, environment and health protection.

The ministers emphasized the importance of the exchange of views on co-operation in the field of telecommunications, banking, science and technology, culture, sports, information and informatics.

The ministers pointed out the role of cultural relations as an avenue to promote better understanding and friendship among the Balkan countries. They agreed that the first Balkan Arts Festival should be held in Turkey in 1991.

They agreed to establish a working group to examine the feasibility of founding a Balkan Development Bank, with the intention of allocating additional financial resources, to facilitate implementation of projects of common interest.

They stressed that the preparations for signing a regional convention on environmental protection in the Balkan Peninsula should be intensified.

They underlined the need to implement the understanding reached in connection with co-operation in combating terrorism and illicit arms and drugs trafficking and recommended that a meeting of the Balkan countries' experts on international terrorism and illicit arms trafficking should be convened in Yugoslavia in 1991.

They expressed their readiness to continue to consider confidence- and security-building measures among the Balkan countries.

The ministers stressed the importance of and expressed their full support for co-operation at the non-governmental level.

It was agreed to continue holding twice a year the meetings of the high officials of the Ministries of Foreign Affairs with the task of studying all the proposals and co-ordinating further activities in all fields of multilateral co-operation. The next meeting of high officials will be held in Turkey in April 1991.

The ministers delegated the high officials to study all aspects of forming the Balkan Forum, which would comprise periodic meetings taking place in the framework of Balkan co-operation, as well as Balkan institutions of multilateral co-operation in various fields and to submit their report to the next Meeting of the Ministers for Foreign Affairs of the Balkan States.

During the meeting, a great number of other proposals were made. The ministers agreed that the high officials would consider them at their meetings with a view to working out the appropriate recommendations.

The ministers reiterated their determination to ensure full and effective implementation of all relevant United Nations Security Council resolutions to secure the immediate and unconditional withdrawal of Iraq from Kuwait.

They have stressed the importance they attach to an early peaceful solution of the problem and to the full restoration of the independence, sovereignty and territorial integrity of the State of Kuwait.

They observed that achieving this objective would also benefit the Balkan countries by limiting the heavy economic losses they suffered as a result of Iraq's invasion and occupation of Kuwait.

The meeting entrusted Albania to inform and send its documents to the Secretary-General of the United Nations.

The participants expressed their commendation for the way in which the meeting was conducted and conveyed their gratitude to the Government of the People's Socialist Republic of Albania for the warm hospitality extended to the participating delegations.

APPENDIX II

Message from the Meeting of the Ministers for Foreign Affairs of the Balkan States to the Paris meeting of Heads of State or Government of the States participating in the Conference on Security and Co-operation in Europe, from 19 to 21 November 1990

The Ministers for Foreign Affairs of the People's Socialist Republic of Albania, the People's Republic of Bulgaria, the Hellenic Republic, Romania, the Republic of Turkey and the Socialist Federal Republic of Yugoslavia - convened at Tirana, on 24 and 25 October 1990, addressed this message to the meeting of the Heads of State or Government of the States participating in the Conference on Security and Co-operation in Europe to be held in Paris. They wish to underline the historic importance of the Conference on Security and Co-operation in Europe (CSCE) for a secure and peaceful future and prosperity of European countries and peoples and bring to the knowledge of the participants in the Paris summit the achievements of Balkan regional co-operation as an integral part of the CSCE process and its objectives for the future.

Welcoming the positive changes in Europe, the Balkan countries view the Paris summit as a significant stage in the CSCE process towards its institutionalization. They emphasized the need of development of the rule of law, pluralistic democracy, democratic institutions and market economy. Measures aimed at overcoming the differences in the level of economic development and resolving economic difficulties of the Balkan countries would also be conducive to greater political stability in Europe.

Intensive regional co-operation in the Balkans, following the historic Meeting of the Ministers for Foreign Affairs of the Balkan States, at Belgrade in 1988, reflects the determination of all Balkan countries to improve their multilateral and bilateral co-operation in a variety of fields of mutual concern, surmounting the differences and disputes among them through a stable development of comprehensive co-operation and strengthening of mutual understanding and confidence-building. At the Tirana meeting they agreed on a number of further steps to be taken in that direction. In view of the expansion of confidence- and security-building measures in Europe, they highlighted the need to continue to consider confidence- and security-building measures among the Balkan countries as a way to contribute to the further consolidation of security and stability in Europe. In the development of their mutual co-operation, the Balkan countries are guided by the general principles of the Charter of the United Nations, as well as by the principles, goals and achievements of the CSCE process. They are convinced that this co-operation helps strengthen stability and peace in the region and in Europe. Thereby, they are making a concrete contribution to the promotion of the CSCE process and to the establishment of a new order and co-operation in the continent.

The ministers welcomed the request of Albania for full participation in CSCE and expressed their wish to see it realized.

Proceeding from the paramount importance of making progress and establishing co-operation in the humanitarian field, the Balkan countries emphasize their commitment to the protection and promotion of human rights and fundamental freedoms in every respect. They attach particular importance to the rights of persons belonging to national minorities, as referred to in the Helsinki Final Act and the corresponding CSCE documents as a factor of cohesion, stability, friendship and good-neighbourliness, in accordance with the principles and norms of international law.

The growing interdependence of countries and of the interrelatedness of problems characterizing the world today more than ever, and especially the relations in our continent, make the objectives of Balkan co-operation a single, Balkan and all-European interest in which every Balkan country, individually and all of them together, see their highest national interest.

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GENERAL ASSEMBLY
Forty-fifth session
Agenda item 35
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 2 November 1990 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, and further to our previous letters on the repeated Israeli acts of aggression against Lebanese territory, I have the honour to inform you that Israel has committed a further act of aggression against Lebanon, the sixteenth such act this year.

At 1.30 p.m., on Thursday, 1 November 1990, four Israel Air Force F-16 planes attacked the village of Majdal Balhis (in the region of Rashayya al-Wadi in the western Bekaa), subjecting it to heavy bombardment, which resulted in three dead and a number of wounded, destroyed a two storey building and another building next to it, and inflicted heavy damage on over 20 houses.

The Government of Lebanon protests against and vigorously condemns this act of aggression and denounces the continuation of these aggressive acts, which are directed against the sovereignty of Lebanon and the inviolability of its airspace and territory and constitute a flagrant violation of international charters and norms and show disdain for the life and security of the public.

I should be grateful if you would have this letter circulated as an official document of the General Assembly, under agenda item 35, and of the Security Council.

(Signed) Khalil MAKKAWI
Permanent Representative

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GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23, 35 and 75
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-fifth year

Letter dated 2 November 1990 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which has the powers and responsibilities of the Provisional Government of Palestine, to transmit to you the report of the commission, appointed by the Higher Islamic Council, for inquiry and collection of documents and information concerning the latest events at the Haram al-Sharif on 8 October 1990.

I should be grateful if you would arrange to have the text of the present letter and the annexed report circulated as an official document of the General Assembly, under agenda items 23, 35 and 75, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Alternate Permanent Observer of
Palestine to the United Nations
Chargé d'affaires, a.i.

ANNEX

REPORT OF THE COMMISSION OF INQUIRY
AND COLLECTION OF DOCUMENTS AND INFORMATION

To His Holiness, the Head of the Higher Islamic Council/Jerusalem

In response to your letter of 24 Rabia Awal 1411, 13 October 1990, in which you appointed us to conduct an inquiry and to collect information and documentation, we are the commission, composed of:

Sheikh Ibrahim Said Sabri, Jerusalem Sharia Court Judge, member of the Islamic council: Head of the Commission of Inquiry;

Sheikh Mohammad Ahmad Yassin, assistant to the Director of the Holy al-Aqsa Mosque, member of the Islamic Council: Commission Member;

Attorney Hazhem Khalil Issa, member of the Islamic Council: Member;

Sheikh Yasser Abdul Majid Abu Ghazaleh, head of the Education and Religious Instruction: Rapporter.

In order the carry out our mandate, the Commission took the following steps:

(1) We listened to eye-witness accounts and collected sworn affidavits from over 50 eye-witnesses, attached to this report (Appendix 10);

(2) Visited the hospitals, heard the testimonies of the wounded, and interviewed medical staff, doctors and nurses;

(3) Visited the local media (an-Nahar, a-Shaab, al-Fajr, al-Quds) and the Arab Journalists Association, whom we thank for their cooperation;

(4) Surveyed the press and Arab bulletins, and translations from the Hebrew press and reports issued by specialized societies;

(5) Examined the site of the events and material evidence left on al-Aqsa and the Dome of the Rock buildings, columns, doors and plazas, and the remains of spent ammunition (Appendix 12);

(6) Supported our account with personal data, written testimonies, and photographs, which are attached to the report.

Before we turn to our conclusions, we shall briefly refer to the significance of the Holy al-Aqsa Mosque for the Moslem.

The Significance of the Holy al-Aqsa Mosque

"Glory to God, who did take his servant on a journey by night from the sacred mosque to the farthest mosque whose precincts we did bless, in order that we might show him some of our signs, for he is the one who hears and sees (all things)" (Sura XVII).

"The prophet said, 'The journeys are to three mosques: the sacred mosque, the farthest mosque and my mosque'"(al-Bukhari).

The al-Aqsa Mosque is the first qibla (direction for prayer) for Moslems, and the third most sacred mosque, and the reward for each prayer in the Mosque or its plaza equals 500 prayers.

The Holy al-Aqsa Mosque is a part of the Moslem faith all over the world, and they are ready to give up their lives for it. What happened on the Day of the Martyrs, Monday, 8 October 1990, is clear proof of that. The Moslems are ready to sacrifice everything to preserve it and anyone who harms it is harming the Moslems in their faith, which is the most precious thing to the Moslem.

Al-Aqsa Mosque is the whole area surrounded by the walls including the gates, the plazas, the Mosateb, the Mahareb, and the Zawaya, and the buildings of al-Aqsa and the Dome of the Rock Mosques -- all of these together are an Islamic mosque and any attack on any part of it is an attack on al-Aqsa itself and its sanctity. The outside walls of al-Aqsa also belong to the Moslems themselves and only Moslems have the right to this place. See the order concerning the (western wall or wailing wall) in Palestine, 1931, and the Bulletin in the Palestine Laws, 1933, Fourth Volume, p. 3397, translation to Arabic (Appendix 3).

Causes of the Massacre

Background on the Temple Mount Faithful

(A) the Temple Mount Faithful is one of the most extreme religious Jewish groups, established in 1967 by Gershon Soloman, and its aim is to exercise Israeli authority over the Holy al-Aqsa Mosque and to build the third Jewish Temple, (to replace the previous temple) which allegedly was on the al-Aqsa and Dome of the Rock site. This group distributes bulletins showing a picture of the temple built, according to their imagination, on the ruins of the two mosques. (An example is attached).

The Temple Mount Faithful refuses to accept that the Mosque is in Moslems hands, and they have tried throughout the years to enter the Mosque area during religious events, in order to put facts on the ground, in fulfilment of their criminal intentions. Every one of these attempts has resulted in clashes between them and the Moslems and every attempt has failed, because the Mosque is

Islamic and this is God's will (Attached report about all attempts since 1967, Appendix 4).

Prior to the last events, this group declared in a bulletin distributed to the Israeli media during their Succot holidays, that they plan to march on 8 October 1990 toward the Holy al-Aqsa Mosque. They said that they seek to liberate the Mount, meaning the Holy al-Aqsa, from the hands of the Arabs, and they also said that they will place a succa in front of the Maghrabeh Gate and they called upon Jews to attend the march. According to them, this march will be the culminating act, in which they will place the cornerstone for the so-called "third temple" (Appendix 5: translation of the bulletin). Even after the bloody events, the extremist Gershon Solomon declared that the Arab-Islamic occupation of the Holy al-Aqsa area should end and that Jews must renew their deep connection to the holy sites (See Appendix 6: a-Shaab, p. 1, no. 5901).

(B) Only a few days before the al-Aqsa massacre, Prime Minister Shamir announced a plan to take over holy Jerusalem, and to force everyone to accept the Israeli annexation, and the police also announced that they will use new methods in confronting the events.

(C) Extremists like MK Geula Cohen and Ministers Ne'eman and Sharon and others expressed deep hatred against the Arabs and called for using all means against them.

The Events of the Massacre

(A) Prior to the Massacre

(1) In light of the Temple Mount Faithful announcement, Moslems gathered on Monday, 19 Rabia Awal 1411, 8 October 1990, on the Day of the Martyrs at al-Aqsa Mosque, in order to prevent this group from entering the Mosque plaza. Moslems started coming to the Mosque at the dawn prayers.

The Moslems were disciplined and quiet. Preachers and Islamic scholars gave religious lessons and people prayed to God to keep their mosque and to remove the evil from them and their mosque (See Appendix 7: photos of mid-morning prayers, a few minutes before the massacre).

(2) The employees of the Islamic waqf, with the help of Moslems, clergy and elderly Moslems, attempted to control the situation and they created a human chain to separate those praying from fully-armed Israeli soldiers who were on the Mosque plaza between the Maghrabeh and Chain Gates and on the western roofs between the two gates. This human chain prevented anyone from approaching the Maghrabeh Gate, and the distance between the two groups was 50 meters. The situation continued to be calm until the massacre started. It was a massacre committed by the Israeli occupation

forces with all its units -- border guards, police, unidentified plain-clothed people.

(3) The officer in charge of the border guard unit (Shlomo Katabi), known as "the Yemenite," threatened the assistant to the Director of the Mosque: "This is your day and we don't play around here" (free translation from the Hebrew). The officer in charge of the Mosque police station, whose name in Zion Said, said, "If a small stone is thrown on us, we will shoot with live ammunition and I will kill 100,000 Moslems." Other threats of bloodshed were repeated from time to time, and the Yemenite officer provoked the Moslems with body gestures, as was stated in eye-witness testimonies.

(4) The Israeli authorities did not allow tourists into the Mosque on that day, unlike in previous similar events, and it is believed that they did so, because they did not want the world to see what they had planned against the Moslems and their Mosque.

(5) The Israeli authorities did not limit Moslems coming into the Mosque, as they have in the past.

(6) The Israeli authorities did, however, allow extremist Jews, including the Temple Mount Faithful, to march toward al-Aqsa Mosque on Monday 8 October 1990, and the police and border guards know that Moslems will defend the Mosque with their bodies and souls. If the police and border guard command were interested in peace and calm, they would have prevented these groups from coming, and prevented them from distributing their bulletin to the press and media. By allowing these things, they challenged the Islamic faith and sensitivities of one billion Moslems.

(7) Jewish worshipers were evacuated from the Holy Buraq Plaza (Wailing Wall) before the shooting started.

(B) The Beginning of the Massacre

(1) Everything was quiet and religious classes were taking place, when all of a sudden, at about 10:40, screams were heard from women who were on the southeast Mostaba of the Dome of the Rock, known as al-Kark Mostaba.

Moslems started rushing toward the source of the screams and the people chanted, "Allahu Akbar." The soldiers started shooting live ammunition, rubber bullets and tear gas, in many places. As the women continued screaming, more tear gas was thrown on them. In response to the shooting, Moslems stoned the soldiers on the Mosque area between the Maghrabeh and Chain Gates and the walls on the western side. Shooting and sniping continued to rain on the Moslems from the windows and roofs of Tankazia School (al-Mahkama) and there was shooting from an automatic weapon while a helicopter was flying over the al-Aqsa area. Persons in civil-dress also started shooting from the al-Sharaf Quarter (known as the Jewish Quarter) and from other places. All of this shooting

caused the fall of a few martyrs.

A few minutes later, a huge number of border guards and police raided al-Aqsa Mosque from the Maghrabeh and Chain Gates, and started shooting intensely with live ammunition, as if they were in a real war. They shot in all directions, without justification, indiscriminately hitting women, youths and the elderly, and even stones and trees.

(2) The Inhuman and Immoral Behavior of the Israeli Occupation Forces

(a) They shot live ammunition at praying Moslems at close range without any justification.

(b) One 11 year old girl testified that she was shot in her hand by a soldier from a distance of approximately 10 meters (See Appendix 8).

(c) One injured person testified that he was trying to help a wounded person when a soldier who was a few meters away shot him with live ammunition and hit his left kneee and his right foot, causing him to fall to the ground. The soldier came over and stepped on his head and hit him with his gun, and hit the other wounded person with his gun (Appendix 9).

(d) A 15 yeear old youth testified that he was hiding behind one of the columns when he was shot by four bullets in different parts of his body; he is in critical condition (Appendix 10).

(e) A group of Moslems praying were surrounded by a group of soldiers who shot them with live ammunition and rubber bullets. Two were killed, others were injured and some were arrested. Moreover, the soldiers stepped on the dead and the injured and beat those arrested (See Appendices 11 and 12: photograph of this event and eye-witness affidavit).

(f) Tear gas and live ammunition were fired at an ambulance in front of al-Aqsa Mosque, while the staff were trying to rescue people. Dr. Tareq Abu al-Hawa was hit in his leg, nurse Fatma Abu Khdeir was hit on her hand and other parts of her body, and nurse Mohammad Abu Ryaleh was hit in his kidneys (Appendix 13, 14, 15).

(g) Soldiers delayed the evacuation of the wounded from the al-Aqsa mosque building, which contributed to the death of three persons who were inside the mosque; and they delayed ambulances on their way to the hospitals.

(h) Wounded people were forced out of ambulances, beaten and arrested.

These are only some examples of the soldiers' actions against peaceful worshipers who closed the doors of the mosques on themselves, while other ran to hide between trees but were shot, and others were chased and shot on the al-Aqsa plaza. During the

events, soldiers entered from the Asbat and Majlis Gates and surrounded worshipers trying to flee. The soldiers closed all the outside gates to prevent worshipers from leaving and arrested tens of them, and handcuffed them with plastic handcuffs, beat them and insulted them (Appendix 16).

Live ammunition and tear gas, which is prohibited from being used in closed areas, were fired into the two mosques.

Prohibited Weapons

Soldiers fired gas and high-velocity live ammunition that exploded on impact at peaceful, unarmed worshipers, without any warning and without justification. These actions of the occupation forces violate all divine and international laws and customs, including the Fourth Geneva Convention of 22 August 1949 for the Protection of Civilians, which prohibits such attacks on persons and their physical integrity. They also violated the Hague Declaration of 29 July 1899 and the Geneva Declaration of 12 June 1925, which both prohibit the use of explosive ammunition and gases which may damage the health (Appendix 17).

The Determination to Kill

The border guard officers in charge and the police did not listen to the calls of the muazin to stop the massacre and to stop shooting in order to evacuate the wounded and the dead. Rather, they continued with their brutal force against Moslems, armed only with their faith which fills their hearts, their faith that will save the oppressed and defeat their oppressors. Some of the Awqaf officials and members of the Islamic Higher Council and the Ulama' tried unsuccessfully to speak rationally to the officers and to convince them to stop the shooting. They were answered by filthy words and threats, and Zion, the police station officer, confiscated the al-Aqsa keys.

Meanwhile the police arrested Mr. Faisal Husseini, member of the Islamic Council, when he objected to the behavior of soldiers while they were forcing two wounded persons out of the ambulance and arrested the driver. When the officials of the Awqaf and the Ulama' insisted on trying to convince them to stop shooting, they were given twenty seconds to leave or they would be shot at, and they added that they were not kidding. The shooting continued for almost one and a half hours.

Refutation of Claims

The Israeli authorities claim that Moslems threw stones on Jewish worshipers, but what the world thought they saw on Israeli television is a lie. There is no evidence that any Jewish worshipers were seriously injured by the small stones thrown in self-defense

which landed on the Wailing Wall Plaza. Moslems, according to their belief and teachings respect other religions and would never deliberately assault them. If it were true that they intended to disrupt the Jewish worshipers, why were the Moslems since dawn in the Mosque and not throwing any stones during the time that over 20,000 Jewish worshipers were in the Buraq Plaza. When the events started, at about 10:40, the Plaza had been cleared of worshipers.

The only reason that Moslems were in the mosques was to defend them and to prevent the Temple Mount Faithful from entering the Holy al-Aqsa to fulfil their dream. The throwing of stones toward the soldiers was in response to the unprovoked shooting of the Israeli soldiers and was an act of self-defense.

How could Moslems throw huge stones from a distance of tens of meters to fall on the Buraq Plaza? Even many of small stones thrown at the soldiers positioned by the Maghrabeh Gate fell on the Mosque Plaza after hitting the inside wall. Perhaps a few stones fell into the Buraq area because the soldiers were positioned in the high arches of the western wall and they were shooting from there. The soldiers who fired from those positions are to blame if stones fell on the Buraq Plaza. It is completely unreasonable to assume that the large building stones were thrown from tens of meters, no matter what the strength of the thrower. Moreover, the arches are eight meters high and seven meters wide, and the soldiers were also shooting.

The authorities claim that Jews were injured, but none of them was shown on television. We know that the Buraq Plaza was empty. If there indeed had been 20,000 worshipers present and if the large building stones shown on television were indeed thrown on them, what would have happened to these worshipers? All the claims about these stones and injured Jews are clearly refuted lies, with no basis in fact. They are merely fabrications to justify their crime against the Moslems.

The Day After the Massacre

The Israeli soldiers prohibited Moslems from entering al-Aqsa and closed all the gates. They prohibited a press conference inside the Mosque and prohibited the Awqaf employees and the members of the Islamic Council from entering the Mosque. When the Moslems insisted to pray the noon prayers, Israeli soldiers and officers threw sound bombs and tear gas in the area of the Majlis Gate. The Head of the Islamic Council, Sa'ad Eddin al-Alami, fainted and was transferred to the Intensive Care Unit at Maqassad hospital. Other elderly people fainted as well, and Moslems were dispersed by force. They left the Majlis Gate area. Some of them entered the Awqaf offices next to the Majlis Gate and they were prevented from leaving, and people were prevented from going in to see them (Appendix 18).

On the evening of 9 October 1990, the gates were opened at 17:00, following the intervention of the international community who heeded the appeal of the Awqaf and the Islamic Council. Moslems entered the Mosque for evening prayers. Sheikh Mohammad Said al-Jamal, the Islamic Courts inspector, was arrested in the early hours of 9 October 1990 and accused of incitement, despite the fact that he had called upon the soldiers and the officers to stop shooting.

Conclusions

1. The tragic events on the Day of the Martyrs, Monday 8 October 1990, was not an accident, but a premeditated, well-planned operation by the command of the border guards and the police, as we have indicated in this report. These two commands would not have committed this massacre without a green light from the political eschelon of the Israeli leadership. The border guards and police initiated the shooting and the entire event.

2. The inhuman and immoral treatment by the border guards and police against worshipers, wounded, arrested, and medical staff shames every civilized person and every democratic state which stand for equality and the preservation of human and religious rights.

3. The intense and indiscriminate shooting to kill, and only to kill, without any justification, was demonstrated by the extensive number of injuries and the targetting of youth, women, children, and elderly in the head and chest.

4. As a result of this event, 18 were killed and hundreds were injured and arrested.

5. The buildings of al-Aqsa and the Dome of the Rock, the walls of the Dome of the Rock, the columns, the plazas, gates and minarets were shot with hundreds of bullets and tear-gas canisters.

6. Moslems threw stones at the soldiers only after they were shot at with live ammunition and tear gas, and then only to defend themselves and to stop the soldiers. Moslems did not in any way assault holy places and worshipers from other religions, an act which would be against the very essence of their religion.

7. The use of live ammunition which shattered on impact, causing extensive internal damage, and the use of tear gas in prohibited manners against unarmed people violated international law and accepted humanitarian standards.

8. The brutal pattern of shooting, with no justification whatsoever, only to terrorize Moslems to appease extremist Jews, will not succeed to frighten Moslems, who fear only God Almighty.

9. In presenting this report, we pray to God Almighty to take the martyrs into his mercy and into their rightful place in paradise, to speed the recovery of the wounded and the release of those arrested, and to protect our Holy al-Aqsa Mosque from every evil and assault. Moslems will remain steadfast as the defenders of the Mosque, no matter what the risk, no matter what the sacrifice. Until God will determine what is to happen, may He help those who help Him, for God is Almighty.

Signed:

Ibrahim Said Sabri
Head of the Commission

Mohammad Ahmad Yassin
Member

Hashem Khalil Issa
Member

Yasser Abdul Majid Abu Ghazaleh
Member

Jerusalem
9 Rabia Thani 1411 Hijra
28 October 1990

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PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-fifth year

Letter dated 5 November 1990 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which has the powers and responsibilities of the Provisional Government of Palestine, to bring the following to your immediate attention:

The Israeli Security Forces have been waging a campaign of oppression and terror against Palestinian civilians in the occupied Gaza Strip, during the last 48 hours and until the present time. This campaign of oppression, which we believe comes in implementation of a political decision by the Government of Israel, resulted in 700 casualties among Palestinians of all ages and from all over the region, especially cities of Gaza and Rafah. Among those casualties over 200 have been caused by live ammunition.

This situation requires immediate consideration and action by the international community, in particular by the Security Council when it resumes its deliberations in accordance with paragraph 4 of Security Council resolution 673 (1990).

I should be grateful if you would arrange to have the text of the present letter circulated as an official document of the General Assembly, under agenda items 23, 35 and 75, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Alternate Permanent Observer
of Palestine to the United Nations
Chargé d'affaires a.i.

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REVIEW OF THE IMPLEMENTATION OF THE RECOMMENDATIONS AND DECISIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS TENTH SPECIAL SESSION

Status of multilateral disarmament agreements

Report of the Secretary-General

1. By resolution 36/92 H of 9 December 1981, the General Assembly, inter alia, requested the Secretary-General to prepare for each of its regular sessions a composite table of signatories of and parties to multilateral disarmament agreements with a view to enabling the Assembly to take up the question of their status, if it deemed it appropriate.

2. Pursuant to the above resolution, the Secretary-General submits in the attached annex an updated composite table of signatories of and parties to multilateral disarmament agreements, as reported by the depositaries of those agreements, and covering the period from 1 January to 31 July 1990. 1/

Notes

1/ The information contained in the present report reproduces data furnished by the Secretary-General where he is the depositary of the treaties or agreements concerned and by those Governments which are depositaries in other cases. Inclusion of information as to the treaties and agreements of which the Secretary-General is not the depositary is as reported by the respective depositaries.

The Secretary-General is the depositary of (a) the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, (b) the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies, and (c) the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

Notes (continued)

France is the depositary of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.

Mexico is the depositary of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco).

The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America are depositaries of (a) the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, (b) the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, (c) the Treaty on the Non-Proliferation of Nuclear Weapons, (d) the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, and (e) the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

The United States of America is the depositary of the Antarctic Treaty.

The Secretary-General of the South Pacific Forum Secretariat is the depositary of the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga).

ANNEX

Composite table of signatories of and parties to multilateral disarmament agreements as at 31 July 1990, as reported by depositaries

(s) signed, (r) ratified (including accessions and successions)

Signatory or Party reported	Geneva Protocol	Antarctic Treaty	Partial Test Ban	Outer Space	Treaty of Tlatelolco	Non-proliferation	Sea-Bed	BW Convention	ENMOD	Celestial bodies	Conventional weapons a/	Treaty of Rarotonga
Afghanistan	r		s r	s r		s r	s r	s r	r		s	
Albania												
Algeria			s									
Angola									r			
Antigua and Barbuda	r		r	r	s r	r						
Argentina	r		s r	s r	s		s r	s r	r		s	
Australia	r	s r	s r	s r		s r	s r	s r	s r	r	s r	s r
Austria	s r	r	s r	s r		s r	s r	s r		s r	s r	
Bahamas			r	r	s r	r	r	r				
Bahrain	r					r		r				
Bangladesh	r		r	r		r		r	r			
Barbados	r			r	s r	s r		s r				
Belgium	s r	s r	s r	s r		s r	s r	s r	s r		s	
Belize						r		r				
Benin	r		s r	r		s r	s r	s r	s r		r (I and III)	
Bhutan	r		r			r		r				
Bolivia	r		s r	s	s r	s r	s	s r	s			
Botswana			r	s		s r	s r	s				
Brazil	s r	r	s r	s r	s r b/	r	s r	s r	s r			
Brunei Darussalam						s r	s r	s r	s r		s r	
Bulgaria	s r	r	s r	s r		s r						
Burkina Faso	r		s	s r		r	s	s				
Burundi			s	s								
Byelorussian Soviet Socialist Republic			s r	s r		s r	s r	s r	s r		s r	
Cameroon	r		s	s		s r	s				s	
Canada	s r	r	s r	s r		s r	s r	s r	s r			
Cape Verde			r			r		r				
Central African Republic	r		r	s		s r	s r	s				
Chad			s r			s r						

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Signatory or Party reported	Geneva Protocol		Antarctic Treaty		Partial Test Ban		Outer Space		Treaty of Tlatelolco		Non-proliferation		Sea-Bed		BW Convention		ENMOD		Celestial bodies		Conventional weapons a/		Treaty of Rarotonga	
Chile	s	r	s	r	s	r	s	r	s	r b/					s	r			s	r				
China		r		r				r	s (A.P.II)	r c/						r					s (P.2-3)	r d/		
Colombia				r	s	r	s		s	r	s	r	s		s	r								
Comoros																								
Congo												r		r		r								
Cook Islands																							s	r
Costa Rica					s	r			s	r	s	r	s		s	r								
Côte d'Ivoire		r			s	r					s	r		r	s									
Cuba		r		r				r						r	s	r	s	r			s	r		
Cyprus		r			s	r	s	r			s	r	s	r	s	r	s	r				r		
Czechoslovakia	s	r		r	s	r	s	r			s	r	s	r	s	r	s	r			s	r		
Cambodia		r										r	s		s	r								
Democratic People's Republic of Korea		r		r								r				r		r						
Denmark	s	r		r	s	r	s	r			s	r	s	r	s	r	s	r			s	r		
Djibouti																								
Dominica									s			r												
Dominican Republic		r			s	r	s	r	s	r	s	r	s	r	s	r								
Ecuador		r		r	s	r	s	r	s	r	s	r			s	r					s	r		
Egypt	s	r			s	r	s	r			s	r			s			r			s			
El Salvador	s				s	r	s	r	s	r	s	r			s									
Equatorial Guinea		r				r		r				r	s			r								
Ethiopia	s	r			s		s				s	r	s	r	s	r	s							
Fiji		r				r		r				r			s	r							s	r
Finland	s	r		r	s	r	s	r			s	r	s	r	s	r		r			s	r		
France	s	r	s	r			s	r	s (A.P.I-II)	r (A.P.II)						r			s		s (I and II)	r		
Gabon					s	r						r			s									
Gambia		r				r	s				s	r	s		s									
German Democratic Republic	s	r		r	s	r	s	r			s	r	s	r	s	r	s	r			s	r		
Germany, Federal Republic of	s	r		r	s	r	s	r			s	r	s	r	s	r	s	r			s			
Ghana		r			s	r	s				s	r	s	r	s	r	s	r						
Greece	s	r		r	s	r	s	r			s	r	s	r	s	r		r			s			

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Signatory or Party reported	Geneva Protocol		Antarctic Treaty		Partial Test Ban		Outer Space		Treaty of Tlatelolco		Non-proliferation		Sea-Bed		BW Convention		ENMOD		Celestial bodies		Conventional weapons a/		Treaty of Rarotonga	
Grenada		r							s	r		r				r								
Guatemala		r			s	r			s	r	s	r		s	s	r		r	s			r		
Guinea												r		s										
Guinea-Bissau		r				r		r				r		r		r								
Guyana							s								s									
Haiti					s		s		s	r	s	r			s									
Holy See		r					s					r					s							
Honduras					s	r	s		s	r	s	r		s		s	r							
Hungary		r		r	s	r	s	r			s	r		s	r	s	r				s	r		
Iceland		r			s	r	s	r			s	r		s	r	s					s			
India	s	r		r	s	r	s	r						r	s	r	s	r	s		s	r		
Indonesia		r			s	r	s				s	r			s									
Iran (Islamic Republic of)		r			s	r	s				s	r		s	r	r	s							
Iraq		r			s	r	s	r			s	r		s	r		s							
Ireland		r			s	r	s	r			s	r		s	r	r	s	r			s			
Israel		r			s	r	s	r																
Italy	s	r		r	s	r	s	r			s	r		s	r	r	s	r			s			
Jamaica		r			s		s	r	s	r	s	r		s	r	r								
Japan	s	r	s	r	s	r	s	r			s	r		s	r	r		r			s	r		
Jordan		r			s	r	s				s	r		s	r	r								
Kenya		r				r					s	r				r								
Kiribati												r											s	r
Kuwait		r			s	r		r			s	r			s	r		r						
Lao People's Democratic Republic		r			s	r	s	r			s	r		s	r	r	s	r				r		
Lebanon		r			s	r	s	r			s	r		s		r	s							
Lesotho		r					s				s	r		s	r	r								
Liberia		r			s	r					s	r		s			s							
Libyan Arab Jamahiriya		r			s	r		r			s	r			r	r								
Liechtenstein												r									s	r		
Luxembourg	s	r			s	r	s				s	r		s	r	r	s				s			
Madagascar		r			s	r		r			s	r		s		s								
Malawi		r				r						r			s			r						
Malaysia		r			s	r	s				s	r		s	r	s								
Maldives		r									s	r												

.../...

Signatory or Party reported	Geneva Protocol	Antarctic Treaty	Partial Test Ban	Outer Space	Treaty of Tlatelolco	Non-proliferation	Sea-Bed	BW Convention	ENMOD	Celestial bodies	Conventional weapons a/	Treaty of Rarotonga
Mali			s	r		s r	s	s				
Malta	r		r			s r	s r	s r				
Mauritania			s r									
Mauritius	r		r	r		s r	s r	s r				
Mexico	r		s r	s r	s r	s r	r	s r			s r	
Monaco	r											
Mongolia	r		s r	s r		s r	s r	s r	s r		s r	
Morocco	r		s r	r		s r	s r	s	s	s	s	
Mozambique												
Myanmar			s r	s r			s	s				
Namibia												
Nauru						r						s r
Nepal	r		s r	s r		s r	s r	s				
Netherlands	s r	r	s r	s r	s r (A.P.I)	s r	s r	s r	s r	s r	s r	
New Zealand	r	s r	s r	s r		s r	s r	s r	r		s	s r
Nicaragua	s		s r	s	s r	s r	s r	s r	s			
Niger	r		s r	s r			s r	s r			s	
Nigeria	r		s r	r		s r		s r			s	
Niue												s r
Norway	s r	s r	s r	s r		s r	s r	s r	s r		s r	
Oman												
Pakistan	r		s r	s r				s r	r	r	s r	
Panama	r		s r	s	s r	s r	s r	s r				
Papua New Guinea	r	r	r	r		r		r	r			s r
Paraguay	r		s		s r	s r	s	r				
People's Republic of Kampuchea						r						
Peru	r	r	s r	s r	s r	s r		s r		s		
Philippines	r		s r	s		s r		s r		s r	s	
Poland	s r	r	s r	s r		s r	s r	s r	s r		s r	
Portugal	s r		s			r	r	s r	s		s	
Qatar	r					r	r	s r				
Republic of Korea ...	r	r	s r	s r		s r	s r	s r	r			
Romania	s r	r	s r	s r		s r	s r	s r	s r	s	s	
Rwanda	r		s r	s		r	s r	s r				
Saint Kitts and Nevis	r					r						
Saint Lucia	r					r		r				

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Signatory or Party reported	Geneva Protocol		Antarctic Treaty		Partial Test Ban		Outer Space		Treaty of Tlatelolco		Non-proliferation		Sea-Bed		BW Convention		ENMOD		Celestial bodies	Conventional weapons a/		Treaty of Rarotonga	
Saint Vincent and the Grenadines												r											
Samoa						s	r					r										s	r
San Marino						s	r	s	r		s	r			s	r							
Sao Tome and Principe												r		r		r		r					
Saudi Arabia		r							r			r	s	r	s	r							
Senegal		r				s	r				s	r	s		s	r							
Seychelles							r		r			r		r		r							
Sierra Leone		r				s	r	s	r			r	s		s	r	s			s			
Singapore							r		r		s	r	s	r	s	r							
Solomon Islands		r										r		r		r		r				s	r
Somalia						s		s			s	r			s								
South Africa		r	s	r			r	s	r				s	r	s	r							
Spain	s	r		r	s	r			r			r		r	s	r	s	r		s			
Sri Lanka		r			s	r	s	r			s	r			s	r	s	r					
Sudan		r			s	r					s	r	s							s			
Suriname									s	r		r											
Swaziland							r				s	r	s	r									
Sweden	s	r		r	s	r	s	r			s	r	s	r	s	r		r		s	r		
Switzerland	s	r			s	r	s	r			s	r	s	r	s	r		r		s	r		
Syrian Arab Republic		r			s	r		r			s	r			s		s						
Thailand	s	r			s	r	s	r				r			s	r							
Togo		r			s	r	s	r			s	r	s	r	s	r				s			
Tonga		r				r		r				r				r							
Trinidad and Tobago		r			s	r	s		s	r	s	r											
Tunisia		r			s	r	s	r			s	r	s	r	s	r	s	r			r		
Turkey	s	r			s	r	s	r			s	r	s	r	s	r	s			s			
Tuvalu												r										s	r
Uganda		r			s	r		r				r					s						
Ukrainian Soviet Socialist Republic						s	r	s	r				s	r	s	r	s	r		s	r		
Union of Soviet Socialist Republics		r	s	r	s	r	s	r	s r (A.P.II)		s	r	s	r	s	r	s	r		s	r	s r (P.2-3)	
United Arab Emirates															s								
United Kingdom of Great Britain and Northern Ireland	s	r	s	r	s	r	s	r	s r (A.P.I and II)		s	r	s	r	s	r	s	r		s			

Signatory or Party reported	Geneva Protocol		Antarctic Treaty		Partial Test Ban		Outer Space		Treaty of Tlatelolco		Non-proliferation		Sea-Bed		EW Convention		ENMOD		Celestial bodies		Conventional weapons a/		Treaty of Rarotonga
United Republic of Tanzania		r			s	r							s		s								
United States of America	s	r	s	r	s	r	s	r	s (A.P.I and II)	r	s	r	s	r	s	r	s	r			s		
Uruguay	s	r		r	s	r	s	r	s	r	s	r	s			r			s	r			
Vanuatu																							
Venezuela	s	r			s	r	s	r	s	r	s	r			s	r							
Viet Nam		r						r				r		r		r		r			s		
Yemen*		r			s	r		r			s	r	s	r	s	r	s	r					
Yugoslavia	s	r			s	r	s				s	r	s	r	s	r					s	r	
Zaire					s	r	s				s	r			s	r	s						
Zambia						r		r						r									
Zimbabwe																							

* On 22 May 1990, Democratic Yemen and Yemen merged to form a single State with the name "Republic of Yemen". Since that date they have been represented as one Member.

a/ Protocols I, II and III have been accepted except where noted otherwise.

b/ Party has not waived requirements under article 28 of the Treaty.

c/ A.P. means Additional Protocol to the Treaty of Tlatelolco.

d/ P. means Protocol to the Treaty of Rarotonga.

UNITED
NATIONS

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GENERAL ASSEMBLY
Forty-fifth session
Agenda item 28
THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL PEACE AND
SECURITY AND PEACE INITIATIVES

SECURITY COUNCIL
Forty-fifth Year

Report of the Secretary-General

1. The present report is submitted pursuant to Security Council resolution 637 (1989) of 27 July 1989 and General Assembly resolution 44/10 of 24 October 1989.

2. In my last report, dated 21 December 1989 (A/44/886-S/21029), I described the activities of the International Support and Verification Commission (CIAV) carried out by myself and the Secretary-General of the Organization of American States (OAS), the establishment of the United Nations Observer Group in Central America (ONUCA) and the progress made by the United Nations Observer Mission to verify the electoral process in Nicaragua (ONUVEN). I also noted that in the extraordinary meeting held at San Isidro de Coronado, Costa Rica, on 12 December 1989, the Central American Presidents, in addition to requesting the full deployment of ONUCA and the expansion of its mandate to include verification of any cessation of hostilities and demobilization of irregular forces that might be agreed upon in the region, also requested me to take the necessary steps for the reinitiation of the dialogue between the Government of El Salvador and the Farabundo Martí National Liberation Front (FMLN) and to involve States with interests in the region more directly in the peace effort.

3. In the past 10 months, the pace of events in Central America and the United Nations involvement in the region have accelerated considerably.

4. At the time of the submission of my last report to the General Assembly, ONUVEN had issued two reports on the electoral process in Nicaragua (A/44/642 and A/44/834). The third report, issued on 31 January 1990 (A/44/917), covered the period from the beginning of the electoral campaign in early December to the end of January 1990. By the beginning of December, the core group of observers had been enlarged by 20 additional personnel and ONUVEN regional offices had been opened in

eight of the nine regions of Nicaragua. The report described, inter alia, the administration of the electoral process, the conduct of the electoral campaign, including external and internal financing, electoral strategies of the different parties, military actions in conflict areas and the role in the campaign of the mass media, including television, radio stations and the written press.

5. The fourth report of ONUVEN (A/44/921) was timed to appear on the day following the closing of the electoral campaign on 21 February. It covered the events that occurred in the last three weeks of the campaign and, more importantly, gave an overall assessment of the electoral process since its inception and up to the close of the campaign. In the opinion of ONUVEN, the people of Nicaragua were in a position to decide between alternatives which had been given a reasonable chance to be aired and would be free to determine their future government through the verdict of the ballot boxes on 25 February.

6. The final task of ONUVEN, to verify the fairness of the polling and counting of votes, was carried out by over 240 observers representing over 50 different nationalities. To those drawn from the United Nations Secretariat as well as from organizations and agencies of the United Nations system based in the region were added poll-watchers from over 20 Member States. These included Austria, Belgium, Canada, Cape Verde, Colombia, Czechoslovakia, Denmark, Finland, the Federal Republic of Germany, the German Democratic Republic, Hungary, India, Italy, Japan, Morocco, the Netherlands, New Zealand, Poland, Spain and Sweden.

7. In the early morning of 26 February 1990, my Personal Representative informed me of the preliminary assessment of ONUVEN that the voting had been conducted under normal conditions without intimidation or violence and could be considered free and fair. The last ONUVEN report (A/44/927) of 30 March 1990 confirmed the preliminary assessment by stating that the electoral process had been impartial and fair throughout.

8. On 26 February, the accurate projection of the voting results made the previous night by ONUVEN had been confirmed by the results officially announced by the Supreme Electoral Council. President Daniel Ortega Saavedra publicly accepted the results and declared the readiness of the Sandinista Front of National Liberation to transfer power on 25 April 1990 to the new Government to be formed by the National Opposition Union through a peaceful and orderly transition process. Both the President and the President-elect, Mrs. Violeta Barrios de Chamorro, requested me, through my Personal Representative, to maintain a United Nations presence in Nicaragua to ensure a peaceful and orderly transition process leading to the transfer of power on 25 April 1990. I replied positively and assigned for this purpose a small team to remain in the country. The team was to assist both in the remaining electoral issues as well as in the political aspects of the transition.

9. In the post-electoral atmosphere, charged with uncertainty, the demobilization of the Nicaraguan resistance, an essential element in the Central American peace process, became a high priority. To that end, at the beginning of March, I reached agreement with the Secretary-General of OAS on the modus operandi of CIAV in relation to the two organizations' responsibilities in the demobilization and

voluntary repatriation of members of the Nicaraguan resistance and their families. Under that agreement, subsequently complemented by another one arrived at in June, the United Nations component of CIAV (CIAV/UN) was assigned responsibility for the assistance to and repatriation of demobilized members of the Nicaraguan resistance, their families and others related to the Nicaraguan resistance in Honduras and Costa Rica. The OAS component of CIAV (CIAV/OAS) was to provide assistance to those members of the Nicaraguan resistance who demobilized inside Nicaragua, as well as to the members of the Nicaraguan resistance and their families repatriated by CIAV/UN once they had reached Nicaraguan soil. In addition, CIAV/UN was to be responsible for the voluntary repatriation of Nicaraguan refugees, as well as for all follow-up activities and their assistance in Nicaragua. The United Nations High Commissioner for Refugees (UNHCR) acted as the operational arm of CIAV/UN, conducting all support and repatriation activities.

10. In a report to the Security Council, dated 15 March (S/21194), I sought from the Council its urgent approval, on a contingency basis, of an enlargement of the mandate of ONUCA and the addition of armed personnel to its strength in order to enable it to play a part in the voluntary demobilization of the Nicaraguan resistance. I recalled that, in a letter to the President of the Security Council (S/20856) on 28 August 1989, I had pointed out that the task of collecting the weapons, matériel and military equipment of the Nicaraguan resistance would need to be entrusted to military units equipped with defensive weapons. The Council had welcomed my intention to seek its approval at the appropriate time (S/20857). My request of 15 March was based on consultations held earlier that month at Managua between the Under-Secretary-General for Special Political Affairs and the Chief Military Observer of ONUCA and the Nicaraguan authorities. An understanding had then been reached in principle according to which ONUCA would be responsible for implementing the military aspects of the Tela Accord (A/44/451-S/20778) and would receive the weapons, matériel and military equipment from members of the Nicaraguan resistance. Having done so, the individuals concerned would become the responsibility of CIAV, which would arrange for their repatriation or resettlement. ONUCA would also establish and ensure the security of temporary assembly points in Honduras and Nicaragua and in certain locations in Costa Rica. It would further be responsible for the custody of the weapons and other matériel handed over to it until their final disposal was decided upon by the five Central American Presidents.

11. The Security Council, in resolution 650 (1990) of 27 March 1990, authorized an enlargement of the mandate of ONUCA and the addition of armed personnel to its strength, as requested in my report.

12. On 27 March 1990, the two transition teams designated by the President and the President-elect of Nicaragua signed a Protocol of Procedure for the transfer of power which, inter alia, considered the demobilization of the resistance forces before 23 April 1990 as essential in creating the climate for a peaceful transfer (A/44/927, appendix VIII).

13. On 3 April 1990, the Central American Presidents signed a Declaration at their summit meeting at Montelimar, Nicaragua (A/44/936-S/21235), in which, inter alia, they agreed to emphasize the urgent need for the immediate demobilization of the

Nicaraguan resistance, pursuant to the Joint Plan signed at Tela on 7 August 1989 and to support the Protocol of Procedure for the Transfer of Presidential Authority of the Republic of Nicaragua. They also agreed to request ONUCA and CIAV to take the necessary steps to assist in the demobilization and disarmament of the members of the resistance inside or outside Nicaragua, a process to be initiated immediately and concluded no later than 25 April 1990. They also decided that the weapons to be received by ONUCA were to be destroyed in situ, as I had suggested.

14. The demobilization of the first group of the Nicaraguan resistance took place in Honduras on 16 April 1990, where a company of an armed Venezuelan infantry battalion temporarily added to ONUCA for that purpose began the process of receiving and destroying the weapons. However, by that date, most of the resistance forces had moved to Nicaragua where, on 18 April 1990, following intense negotiations, definitive cease-fire agreements were concluded in Managua between the Government of Nicaragua and the Northern, Central and Atlantic fronts of the Nicaraguan resistance. The talks, which were attended by the ONUCA Chief Military Observer and my Alternate Personal Representative, concluded with an agreement that the demobilization of the resistance forces in Nicaragua should start on 25 April 1990 and be completed no later than 10 June 1990 (A/44/941-S/21272).

15. On 19 April 1990, I informed the Security Council (S/21259) that the agreements arrived at by the Nicaraguan parties required a further broadening of the ONUCA mandate to include the tasks of monitoring a cease-fire and separation of forces; that the security zones envisaged in the agreements, where the resistance was to concentrate, were considerably larger than the temporary assembly points envisaged in my March report; and that CIAV would provide humanitarian assistance to members of the resistance as soon as they arrived in the zones, i.e., before demobilization was complete. By resolution 653 (1990) of 20 April, the Security Council approved my proposals concerning ONUCA's additional task of monitoring the cease-fire and separation of forces resulting from the withdrawal of the Nicaraguan Government's forces from the established security zones and surrounding areas.

16. On 27 April, I submitted a report to the Security Council recommending the extension of the ONUCA mandate for a further period of six months on the understanding that ONUCA's task of monitoring the cease-fire and separation of forces in Nicaragua and the demobilization of the Nicaraguan resistance would lapse with the completion of the demobilization process no later than 10 June 1990. The Council approved my recommendation on 4 May 1990 by resolution 654 (1990). On the same day in Managua, the Nicaraguan resistance had stated its willingness to proceed to its voluntary demobilization to be completed by 10 June. On 22 May 1990, however, the slow pace of demobilization of the Nicaraguan resistance prompted me to convey my concern to the Council, stressing that, unless there was a rapid increase in the rate of demobilization, the deadline for its completion would not be met. This would create for the Security Council, responsible for ONUCA, and the OAS, responsible for CIAV in Nicaragua, a difficult choice, since continuation of the current arrangement would have implied assistance to a group which stood in defiance of its commitments to the Nicaraguan Government, whereas a withdrawal could have precipitated a crisis in the country which, at worse, could have led to a resumption of civil conflict. The following day, the President of the Council made a statement (S/21331) calling upon the resistance to meet fully and urgently

the commitments it had made in agreeing to demobilize. The Council supported the Government of Nicaragua in its efforts to facilitate timely demobilization and called upon all others with influence in this matter to take action to ensure that demobilization would proceed in accordance with the agreements and, in particular, that the 10 June deadline would be respected. This position was conveyed to the five Central American Presidents as well as to the Secretary-General of OAS.

17. In my report of 4 June 1990 (S/21341), I informed the Council about a set of complaints investigated by ONUCA referring to the situation surrounding the security zones and the demilitarized zones in Nicaragua. In general, it remained my assessment that there had not been serious violations of the cease-fire. Some breaches of the agreement on the separation of forces in certain areas were attributable to the lack of trust between the two sides following eight years of hostilities. As far as demobilization was concerned, I noted that, although there had recently been a welcome increase in its rate, the leaders of the Nicaraguan resistance had still not achieved the minimum target to which they had committed themselves. In a further report to the Security Council on 8 June (S/21349), I recommended that ONUCA's mandate of monitoring the cease-fire and separation of forces in Nicaragua and demobilizing members of the Nicaraguan resistance be extended, on the understanding that these tasks would lapse with the completion of the demobilization process not later than 29 June 1990 (resolution 656 (1990)).

18. By the end of June 1990, I was in a position to inform the Security Council that demobilization of the Nicaraguan resistance had been essentially completed on 28 June (S/21379). In a letter addressed to the Chief Military Observer, the Nicaraguan Government had stated its full satisfaction with the process of demobilization that ONUCA had carried out in fulfilment of its mandate. The demobilization of over 22,400 members of the Nicaraguan resistance and the destruction of their weapons, including small arms, grenade launchers and missiles, appeared to close a chapter of a conflict with 30,000 casualties which had taken its toll on every Nicaraguan family. All the problems, however, were not solved by the demobilization itself. While a major international effort gave the people of Nicaragua the opportunity to vote freely and brought an end to the civil war, the country unfortunately still faces a daunting task of reconciliation and reconstruction. It deserves all possible assistance from the international community.

19. A wider task awaited the United Nations in the assistance and repatriation of members of families of former combatants, as well as thousands of Nicaraguan refugees and "indocumentados" living in Honduras and Costa Rica. On 18 April 1990, I addressed a letter to all Member States in which, after delineating the respective responsibilities of the United Nations and OAS within CIAV, I launched an appeal to Member Governments to support the task to be undertaken by CIAV/UN. 1/ A pledging conference to that effect took place on 25 April 1990.

20. On 1 May 1990, CIAV/UN initiated its activities in Honduras. So far CIAV/UN, with the operational support of UNHCR and the United Nations Development Programme (UNDP) has provided assistance to over 60,000 people. Assistance to former members of the Nicaraguan resistance and their families was taken over from the United States Agency for International Development (USAID) in co-ordination with Honduran

authorities and the Honduran Red Cross. In the absence of data, CIAV/UN conducted a census, in which 36,684 former combatants and their families, former beneficiaries of USAID, were registered in Honduras. Their voluntary repatriation to Nicaragua began on 5 July 1990 and is scheduled to conclude by the end of 1990. By mid-October, 15,124 persons had been repatriated and at the beginning of November there were about 2,500 CIAV/UN beneficiaries pending for repatriation. The majority of remaining ones are believed to have gone back by their own means. In addition, CIAV/UN conducted a census of 23,463 Nicaraguan refugees, 20,385 of whom have so far been repatriated. Their assistance and follow-up activities will continue to be provided in Nicaragua by UNHCR on behalf of CIAV/UN.

21. According to the latest tentative figures available, the number of CIAV beneficiaries inside Nicaragua for 1991 would be approximately 90,000 people. I wish to express my sincere appreciation to the donor countries for their assistance to CIAV and to pay tribute to all those dedicated workers of the United Nations and other international agencies who have carried out their task so efficiently in often difficult circumstances.

22. During the period under review, I have actually pursued my efforts, with the full support of the Security Council in its resolutions 637 (1989) and 654 (1990), to find a negotiated settlement to the conflict in El Salvador. In the San Isidro de Coronado Declaration of December 1989, the five Central American Presidents requested me to do everything within my power to ensure the resumption of the dialogue between the Salvadorian Government and FMLN. These efforts intensified following a visit to Headquarters by President Cristiani in January 1990, and after receiving assurances from both the Salvadorian Government and FMLN that they were seriously intent on seeking an end to the armed conflict in that country through negotiations. A series of consultations were undertaken by my Personal Representative, Mr. Alvaro de Soto, with both parties in order to agree on the format, mechanism and pace of a process aimed at bringing about as speedily as possible, under my auspices, a definitive end to the armed conflict in that country.

23. At a joint meeting held in my presence at Geneva on 4 April 1990, the Government of El Salvador and FMLN signed an agreement in which they agreed to a process of negotiations under my auspices to end the armed conflict by political means as speedily as possible, promote democratization of the country, guarantee unrestricted respect of human rights and reunify Salvadorian society (see annex I). The initial objective was to achieve political agreements for arranging a halt to the armed confrontation and any acts that infringe the rights of the civilian population which would have to be verified by the United Nations subject to the approval of the Security Council. Once that had been achieved, the process was to lead to the establishment of necessary guarantees and conditions for reintegrating the members of FMLN, within a framework of full legality, into the civil, institutional and political life of the country. The parties agreed to a method of negotiation by means of two complementary activities: direct dialogue between the negotiating commissions of the two parties with the active participation of the Secretary-General or his representative, and an intermediary role by the Secretary-General or his representative between the parties to ensure that both the Government and FMLN were committed at the highest level.

24. Following a second round of direct talks held at Caracas with the participation of my Personal Representative, the Government and FMLN agreed to an agenda and a schedule for negotiations, in which mid-September was set as a target date for achieving the initial objective described above (see annex II). As had been agreed at Geneva, the initial objective for the process will be to achieve political agreements for a halt to the armed confrontation and any acts that infringe the rights of the civilian population, which will have to be verified by the United Nations, subject to the approval of the Security Council. The issues on which political agreements, as described in the Caracas agenda, were to be reached relate to the following: armed forces, human rights, judicial system, electoral system, constitutional reform, economic and social issues and verification by the United Nations.

25. Following the agreement on the agenda, two substantive rounds of negotiations were held in Mexico and Costa Rica in June and July, respectively. On 26 July 1990, the parties concluded an agreement on human rights (A/44/971-S/21541) which contains detailed commitments to guarantee unrestricted respect for human rights in El Salvador, and which provides for the establishment of a United Nations verification mission under a Director appointed by the Secretary-General and with such verification personnel as may be necessary. The mission is to be given powers to take whatever legally permissible action it may deem appropriate for promoting and protecting human rights as part of the intention to promote respect for and guarantee of such rights in El Salvador and to contribute towards improving those situations in which such respect and guarantee are not duly observed. The agreement on human rights is the first substantive achievement of the negotiating process. The implementation of the verification mission, which is to last for one year, but which may be renewed, was conditioned in the agreement on a halt to the armed confrontation. The parties have since agreed that it need not await the fulfilment of that condition.

26. As I informed the Security Council on 3 August 1990, it is envisaged that, in the context of the achievement of the "initial objective" established in the Geneva agreement, the United Nations will be requested to carry out a certain number of tasks relating to the verification of a cease-fire, the monitoring of the electoral process and the human rights verification mentioned above. It is my view that these tasks are being cast as essential components of a peaceful solution to the Salvadorian conflict and that, in order to ensure proper co-ordination on the ground and the rational use of resources, an integrated operation should be established under the authority of the Security Council. In the mean time, having obtained the previous authorization of the Security Council (S/21717 and S/21718), I intend to establish shortly a small preparatory office for the United Nations verification mission, in order to enable the latter to undertake the monitoring task as soon as developments permit.

27. The human rights agreement arrived at in San José was followed by two direct meetings held also at San José in August and September 1990 between the representatives of the Government and the FMLN with the participation of my Representative. My Personal Representative has also undertaken frequent trips to meet with President Cristiani and senior commanders of the FMLN. He has also been in frequent contact with leaders and representatives of a wide array of political

parties, social organizations and church leaders in El Salvador. I myself met with President Cristiani during his recent visit to the United Nations. I also met with a high-level delegation of the FMLN. The question of El Salvador has come up frequently in my meetings with leaders of Member States who are in a position to assist in my efforts, as envisaged in the Geneva Agreement.

28. While significant progress has been recorded to date, it is fair to say that considerable problems have been encountered in negotiations, particularly on the most difficult, sensitive and complex issue on the agenda, the armed forces, on which, despite continuous efforts, it has not yet been possible to reach an agreement. In an effort to reinvigorate the negotiating process, at a direct meeting held in Mexico City from 29 to 31 October 1990, the two parties, with the participation of my Representative, reached consensus on the need to make adjustments in the mechanics followed so far. To this end, they decided to place greater emphasis on the active role of the Secretary-General's Representative and his role as intermediary and on the confidential character of future direct meetings. Procedural improvements will not by themselves solve the remaining problems. However, I remain persuaded that, given the necessary will, coupled with perseverance and flexibility on the substance of the issues on both sides, and with the support from outside Powers in a position to support these efforts, the goal of peace in El Salvador can be achieved in the not-too-distant future.

29. On 30 March 1990, a delegation of the National Reconciliation Commission of Guatemala, acting with the full support of the Government of the Republic, and a delegation of the Unidad Revolucionaria Nacional Guatemalteca (URNG), with the full support of its General Command, signed in Oslo a "Basic Agreement for the Search for Peace by Political Means", with a view to initiating a serious process which, by seeking ways to bring about a peaceful solution of the nation's problems, would culminate in the attainment of peace and the enhancement of functional and participatory democracy in Guatemala (see annex III). To that end, the National Reconciliation Commission and URNG agreed to carry out a series of activities and, by mutual agreement, appointed as Conciliator Monsignor Rodolfo Quezada Toruño in his capacity as Chairman of the National Reconciliation Commission, a body established by the Government of Guatemala in accordance with the Esquipulas II Agreements. The two parties agreed to request that I should observe the activities to be carried out and I, with the express support of the President of the Republic, accepted that request on 21 May 1990, bearing in mind that the Agreement fell within the framework of the Esquipulas II Agreements, as endorsed by Security Council resolution 637 (1989).

30. Pursuant to the Oslo Agreement, five meetings have been held, under the auspices of the National Reconciliation Commission and in the presence of the Conciliator and my appointed Observer, between representatives of URNG and representatives of political parties, private enterprises, religious and popular groups and a mixed sector representing academics, professionals and small- and medium-sized businesses. These meetings were held at El Escorial, Spain, from 27 May to 1 June (A/44/959); at Ottawa, from 31 August to 1 September; at Quito, from 24 to 26 September; and at Metepec (Puebla), Mexico, from 23 to 25 October and from 27 to 28 October, respectively. The next phase envisaged under the Oslo

Agreement would be the holding of talks between representatives of the Government of the Republic, the Guatemalan Army and the General Command of URNG with a view to achieving a political solution of the internal armed confrontation. I cherish the hope that the process initiated by the signature of the Oslo Agreement will continue and pave the way for a process of reconciliation and peace in Guatemala.

31. The Central American Presidents, and the President of Panama as an observer, attended a summit meeting at Antigua, Guatemala, in June 1990. In the Antigua Declaration of 17 June 1990 (A/44/958), they agreed, inter alia, to pursue negotiations on security, verification and control and limitation of weapons, in accordance with the Esquipulas II Agreement, and to seek technical advice from the Secretariats of the United Nations and OAS. In order to provide such advice, officials from the United Nations Secretariat participated as observers in the meetings of the Security Commission, established under Esquipulas II, held at San José, on 31 July and at San Salvador on 12 and 13 September 1990, respectively.

32. At the San José meeting, the members of the Security Commission agreed that its objectives were to ensure the defensive nature of armed forces of the countries of the region, establish a reasonable balance among them, define a new model for security relations and secure commitments with respect to the foreign military presence in the region (A/44/970). At its second meeting (A/45/642), the Security Commission established a technical sub-commission for the purpose of drawing up a draft format or model for conducting inventories of the military installations, personnel and weapons of the military and security forces of the Central American countries. The sub-commission, at a meeting held at Guatemala City in mid-October, prepared, with the assistance of Secretariat representatives, such a model, which will be considered by the Security Commission at its next meeting to be held in Honduras in November.

Notes

1/ SG/CONF.5/1.

ANNEX I

Press communiqué issued following the Geneva meeting presided over by the Secretary-General between representatives of the Government of El Salvador and of the Frente Farabundo Martí para la Liberación Nacional

At the request of the Central American Presidents and within the framework of the mandate of good offices conferred on me by the Security Council under resolution 637 of 27 July 1989, I have held consultations with the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) in order to agree on the format, mechanism and pace of a process aimed at bringing about as speedily as possible, under my auspices, a definitive end to the armed conflict in that country. I have agreed to carry out this effort at the request of the Government and FMLN and because I have received assurances from both parties that there is a serious intention and good faith to seek to bring about such an end through negotiations. As a result of my consultations, the Government and FMLN have agreed on the points set forth below, which are designed to ensure that the process proceeds in an efficient and serious manner and promotes mutual trust through appropriate guarantees.

I believe that the scrupulous maintenance of these guarantees, over and above their intrinsic importance, will demonstrate the desire and ability of the parties to carry out the commitments that they undertake during the negotiations. On this understanding, the Government and FMLN have pledged not to renounce the negotiation process.

1. The purpose of the process shall be to end the armed conflict through political means as speedily as possible, promote the democratization of the country, guarantee unrestricted respect for human rights and reunify Salvadorian society.

The initial objective shall be to achieve political agreements for arranging a halt to the armed confrontation and any acts that inf.inge the rights of the civilian population, which will have to be verified by the United Nations, subject to the approval of the Security Council. Once that has been achieved, the process shall lead to the establishment of t)e necessary guarantees and conditions for reintegrating the members of FMLN, within a framework of full legality, into the civil, institutional and political life of the country.

2. The process shall be carried out under the auspices of the Secretary-General and in a continuing and ongoing manner.

3. In order to ensure the success of the negotiation process, the Government and FMLN agree to a method which will be elaborated by means of two types of complementary activities: direct dialogue between the negotiation commissions with the active participation of the Secretary-General or his Representative, and an intermediary role by the Secretary-General or his Representative between the parties to ensure that both the Government and FMLN are committed at the highest

level. The Secretary-General shall see to it that these activities are conducted in a manner that truly contributes to the success of the process. The Government and FMLN shall ensure that their negotiation commissions are fully authorized to discuss and conclude agreements.

4. The Government and FMLN agree that the process shall be conducted in the strictest confidence. The only public information on the development of this process shall be that which is provided by the Secretary-General or his authorized Representative.

5. The Secretary-General, at his discretion, may maintain confidential contacts with Governments of States Members of the United Nations or groups of such Governments which may contribute to the success of the process through their advice and support.

6. The Government of El Salvador and FMLN agree that the political parties and other existing representative social organizations in El Salvador have an important role to play in achieving peace. In the same way, they recognize the need for both the Government and FMLN to maintain adequate and standing information and consultation mechanisms with these parties and social organizations in the country and that the latter must undertake to ensure the necessary confidentiality for the success of the dialogue process. When it is deemed appropriate and on the basis of mutual agreement, the commissions may call upon the representatives of these parties and organizations in order to receive their contributions.

7. The Government and FMLN likewise recognize that it is useful for the Secretary-General to maintain contacts with Salvadorian persons and groups whose contribution may be of use in his efforts.

Representing the Government of El Salvador:

Dr. Oscar SANTAMARIA
Ambassador Guillermo PAZ LARIN
Ambassador Ana Cristina SOL
Ambassador Carlos Ernesto MENDOZA

Representing the Frente Farabundo Martí para la Liberación Nacional:

Comandante Shafik HANDAL
Licenciado Salvador SAMAYOA
Comandante Ana Guadalupe MARTINEZ
Comandante Roberto CAÑAS

In the capacity assigned to me by the
United Nations Security Council in resolution 637 (1989)

Javier PEREZ DE CUELLAR
Secretary-General of the United Nations

ANNEX II

General agenda and schedule for the comprehensive negotiation process, issued at Caracas on 21 May 1990

A. GENERAL AGENDA

I. The initial objective shall be to achieve political agreements for a halt to the armed confrontation and any acts that infringe the rights of the civilian population, which will have to be verified by the United Nations, subject to the approval of the Security Council.

(a) First: POLITICAL AGREEMENTS

1. Armed forces
2. Human rights
3. Judicial system
4. Electoral system
5. Constitutional reform
6. Economic and social issues
7. Verification by the United Nations

(b) Second: AGREEMENT ON A HALT TO THE ARMED CONFRONTATION AND ANY ACTS THAT INFRINGE THE RIGHTS OF THE CIVILIAN POPULATION

II. Establishment of the necessary guarantees and conditions for reintegrating the members of FMLN, within a framework of full legality, into the civilian, institutional and political life of the country.

1. Armed forces
2. Human rights
3. Judicial system
4. Electoral system
5. Constitutional reform
6. Economic and social issues
7. Reintegration of FMLN members
8. Verification by the United Nations

III. Final agreements for the consolidation of the objectives of the Geneva Agreement, and verification by the United Nations, as appropriate.

Note: The sequence of the items listed for the respective phases is not a strict order of consideration, and may be changed by common agreement.

The agreements should be precisely tailored to the nature of the phase involved. Political items have been referred to their respective phases; but since some of them are quite complex, certain aspects might be addressed in other phases. It all depends on the dynamics of the negotiations.

B. SCHEDULE

In the light of the general agenda for the comprehensive negotiation process in the preceding section, the Government of El Salvador and FMLN agree that the initial objective set forth in paragraph 1 of the Geneva Agreement of 4 April 1990 should be achieved by the middle of September 1990, provided that the parties reach synchronized agreements which have schedules for implementation and are subject to verification as appropriate, so as to ensure that all the components of the initial objective are duly co-ordinated.

The additional advantage of that deadline is that it would help to ensure that an electoral process is conducted at the legislative and municipal levels in an atmosphere of tranquillity, broad participation and freedom from intimidation.

It is difficult to set a strict time-limit for the conclusion of the comprehensive process. That would depend on factors that cannot yet be considered, such as the range and scope of the political agreements referred to in section I, which are to be negotiated, and the relationship between the negotiations and the electoral process. On the other hand, there is also a possibility that the initial objective might be achieved before the deadline. For these reasons, formulations regarding the conclusion of the process should not be in terms of dates, but in terms of a certain number of months from the achievement of the initial objective: tentatively, two to six months.

On the basis of the above understandings, the Government and FMLN shall concentrate, as the primary substantive priority, on the negotiation of the political agreements envisaged under the initial objective.

Caracas, 21 May 1990

Representing the Government of El Salvador:

Colonel Juan A. MARTINEZ VARELA

Dr. Oscar Alfredo SANTAMARIA

Colonel Mauricio Ernesto VARGAS

Dr. Abelardo TORRES

Dr. David ESCOBAR GALINDO

Dr. Rafael HERNAN CONTRERAS

Representing the Frente Farabundo Martí para la Liberación Nacional:

Comandante Schafik HANDAL

Comandante Eduardo SANCHO

Ana Guadalupe MARTINEZ

Salvador SAMAYOA

Dagoberto GUTIERREZ

Marta VALLADARES

Roberto CAÑAS

Alvaro de SOTO
Representative of the Secretary-General
of the United Nations

ANNEX III

OSLO AGREEMENT

The delegation of the Reconciliation Commission of Guatemala, acting with the full support of the Government of the Republic and in the conciliatory role attributed to it under the Esquipulas II Agreement, and the delegation of the Unidad Revolucionaria Nacional Guatemalteca (URNG), acting with the full support of its General Command, express their profound satisfaction upon the signature of the

BASIC AGREEMENT FOR THE SEARCH FOR PEACE BY POLITICAL MEANS

following the serious, wide-ranging and frank discussions held from 26 to 30 March 1990 in the welcoming city of Oslo, with the kind hospitality of the Government of Norway and under the auspices of the Lutheran World Federation.

In conclusion, the two delegations attending the Oslo meeting wish to record their deep gratitude to the exemplary people and Government of Norway for having made it possible to hold this extremely important meeting in their territory. We are most particularly grateful for the presence of Mr. Kjell Magne Bondevik, Minister for Foreign Affairs of Norway.

Thanks are also due to the Lutheran World Federation, which sponsored and made this meeting possible by virtue of its persistent efforts. We mention especially its Secretary-General, Dr. Gunnar Stålsett, the Under-Secretary-General for International Affairs and Human Rights, Dr. Paul Wee, and Dr. Leopoldo J. Niilus, Special Adviser on International Affairs to the Lutheran World Federation.

We are grateful too for the support and solidarity of the Norwegian Church and its Council for External Relations. Our thanks also go to the Reverend Andreas Aarflot, Bishop of Oslo.

DONE in the city of Oslo, Norway, this 29th day of March, 1990.

Delegation of the National Reconciliation Commission of Guatemala, representing the Guatemalan Government:

(Signed) Jorge SERRANO ELIAS (Signed) Mario PERMUTH

(Signed) Eduardo P. VILLATORO

Delegation of the General Command of the Unidad Revolucionaria Nacional Guatemalteca:

(Signed) Luis BECKER GUZMAN (Signed) Francisco VILLAGRAN

(Signed) Jorge E. ROSAL

BASIC AGREEMENT FOR THE SEARCH FOR PEACE BY POLITICAL MEANS

In the city of Oslo, Norway, the delegation of the National Reconciliation Commission (CNR) of Guatemala, acting with the full support of the Government of the Republic of Guatemala and in the conciliatory role attributed to it under the Esquipulas II Agreement, and the delegation of the Unidad Revolucionaria Nacional Guatemalteca (URNG), with the full support of its General Command, having met from 26 to 30 March 1990 expressly for the purpose of finding ways to bring about a peaceful solution of the nation's problems by political means, and recognizing that this objective is fundamental to the achievement of reconciliation between Guatemalans and to the solution of the nation's problems, do agree to initiate a serious process which will culminate in the attainment of peace and the enhancement of functional and participatory democracy in Guatemala.

The two delegations shall, by mutual agreement, proceed to exercise their

GOOD OFFICES

In accordance with the spirit of the Esquipulas II Agreement, the National Reconciliation Commission shall take steps to facilitate and sustain the peace-seeking activities to which this Agreement refers, through its good offices and the appointment as Conciliator, by agreement with URNG, of Monsignor Rodolfo Quezada Toruño in his capacity as Chairman of the National Reconciliation Commission.

It shall be the function of the Conciliator to propose initiatives to all the parties, to facilitate and sustain dialogue and negotiation and to impart momentum to that process, and to analyse whatever similarities or differences there may be between the positions of the parties. He shall be entitled to propose initiatives and solutions for discussion and agreement and shall perform all other functions required for the proper fulfilment of his commitment.

The National Reconciliation Commission and the Unidad Revolucionaria Nacional Guatemalteca agree to request the Secretary-General of the United Nations, Dr. Javier Pérez de Cuéllar, to observe the activities to be carried out and to act as guarantor of compliance with the agreements and commitments entered into upon signature of this document.

ACTIVITIES TO BE CARRIED OUT

The two delegations agree to launch activities which will generate conditions permitting the definitive attainment of peace and the enhancement of democracy.

(a) A meeting shall be held between representatives of the political parties of the Republic of Guatemala and representatives of the Unidad Revolucionaria Nacional Guatemalteca. The National Reconciliation Commission and the Unidad Revolucionaria Nacional Guatemalteca shall, by mutual agreement, decide the conditions under which this meeting will take place. The parties shall make the efforts required for the meeting to be held in the second fortnight of May 1990.

(b) The National Reconciliation Commission shall, by mutual agreement with URNG, create the mechanisms required for the convening, preferably in June 1990, of the necessary meetings between the Unidad Revolucionaria Nacional Guatemalteca and representatives of the country's popular, religious and business sectors, as well as other politically representative entities, with a view to finding ways of solving the nation's problems.

(c) Talks with a view to achieving a political solution of the internal armed confrontation shall be held, on a date to be established by mutual agreement between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, between representatives - with decision-making powers - of the Government of the Republic, the Guatemalan Army and the General Command of the Unidad Revolucionaria Nacional Guatemalteca. The National Reconciliation Commission shall take part in these meetings for purposes of confirmation and verification, in accordance with the functions attributed to it under the Esquipulas II Agreement.

SIGNED in the city of Oslo this 30th day of March 1990.

For the delegation of the National Reconciliation Commission:

(Signed) Jorge SERRANO ELIAS (Signed) Mario PERMUTH

(Signed) Eduardo P. VILLATORO
Executive Secretary of CNR

For the delegation of the Unidad Revolucionaria Nacional Guatemalteca:

(Signed) Luis BECKER GUZMAN (Signed) Francisco VILLAGRAN M.

(Signed) Jorge E. ROSAL

UNITED
NATIONS

A

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Forty-fifth session
Agenda item 89

EFFECTIVE IMPLEMENTATION OF UNITED NATIONS INSTRUMENTS ON HUMAN RIGHTS AND EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO SUCH INSTRUMENTS

Report of the Secretary-General

1. In paragraph 7 of its resolution 44/135 of 15 December 1989, the General Assembly endorsed the recommendations of the meeting of persons chairing the human rights treaty bodies on the need to ensure financing and adequate staffing resources for the operations of the treaty bodies and requested the Secretary-General, inter alia, to report on this question to the Commission on Human Rights at its forty-sixth session and the General Assembly at its forty-fifth session. Pursuant to that resolution, the Secretary-General submitted a report to the Commission on Human Rights at its forty-sixth session. 1/

2. The report noted that the rapidly expanding work-load of the various Committees had placed growing demands upon the Secretariat that were increasingly difficult to meet and that the anticipated requirements for support services of the treaty bodies could not be met fully without some staff increases. With regard to financing, it was noted in the report that, of the two treaty bodies whose operations are not financed under the Organization's regular budget, only the Committee on the Elimination of Racial Discrimination was currently facing financial difficulties; it was suggested that the establishment of a revolving "contingency reserve fund" based on voluntary contributions could alleviate such difficulties temporarily, pending a permanent solution to the problems resulting from accumulated arrearages and the non-payment or delayed payment by some States parties of their assessed contributions.

3. The Commission on Human Rights at its forty-sixth session adopted resolution 1990/25 of 27 February 1990 in which, inter alia, it endorsed the suggestion relating to the establishment of such a contingency reserve fund and recomended that the Secretary-General should seek to obtain, at the earliest opportunity, the concurrence of States parties with regard to its creation.

With regard to the need for additional staffing resources, in resolution 1990/25, the Secretary-General was requested to submit a report on the situation and developments regarding the logistical and human resources support for the increasing activities in the field of human rights of the Centre for Human Rights, in particular on the servicing needs of the human rights treaty bodies, the provisions for servicing included in the United Nations budget and the implementation of those provisions, to the Economic and Social Council at its first regular session of 1990. It will be noted that, in that resolution, the problems relating to the "servicing needs of the human rights treaty bodies" were subsumed under broader concerns relating to "logistical and human resources support for the increasing activities in the field of human rights of the Centre for Human Rights".

4. Pursuant to the aforementioned resolution, the Secretary-General submitted a report to the Economic and Social Council at its first regular session of 1990. 2/ By its resolution 1990/47, the Council decided to refer the report for consideration to the General Assembly at its forty-fifth session as well as to the persons chairing the human rights treaty bodies at their next meeting and the Commission on Human Rights at its forty-seventh session. In that same resolution, the Council also requested the Secretary-General to submit to the General Assembly at its forty-fifth session a brief report on actions taken in 1990 and those planned for 1991 as interim solutions, as well as to include in the proposed programme budget for the biennium 1992-1993 programme and resource proposals for long-term solutions to the problems relating to logistical and human resources support for the activities of the Centre for Human Rights.

5. The Secretary-General's proposals for long-term solutions relating to the financing and staffing needs for the operations of the treaty bodies will be reflected, pursuant to Economic and Social Council resolution 1990/47, in his proposed programme budget for the biennium 1992-1993. As for the interim measures to be taken under the present biennium, a brief report by the Secretary-General, as requested by the Economic and Social Council in its resolution 1990/47, will be submitted to the General Assembly under agenda item 12.

Notes

1/ E/CN.4/1990/67.

2/ E/1990/50.

UNITED
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A/45/708
6 November 1990
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Forty-fifth session
Agenda item 3

REPORT OF THE CREDENTIALS COMMITTEE

Letter dated 2 November 1990 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to draw your attention to our objection to the credentials of Israel's delegation to the forty-fifth session of the United Nations General Assembly, on the following grounds:

1. Israel's failure to comply with Security Council resolutions relating to Lebanon, the question of Palestine, the situation in the Middle East and related topics, thereby violating Article 25 of the Charter;

2. Israel's failure to implement General Assembly resolutions relating to the question of Palestine and the situation in the Middle East. Those resolutions urge that the Palestinian people be enabled to exercise its inalienable rights, including the right to return, the right to self-determination and the right to establish its own independent State in Palestine. They also urge that the Israeli occupation of Arab territories must be ended, in accordance with the principle whereby land may not be acquired by force, and that Israel must therefore withdraw from all territories occupied since 1967, including Jerusalem and the Syrian Arab Golan;

3. Israel's failure to comply with General Assembly resolutions relating to various other agenda items deriving from those concerning Palestine and the situation in the Middle East;

4. Israel's continued occupation of parts of Lebanese territory and persistent refusal to implement Security Council resolution 425 (1978) of 19 March 1978;

5. Israel's violation of human rights in the occupied Palestinian territory and other occupied Arab territories, including Jerusalem, and particularly its violation of the provisions of the fourth Geneva Convention of 12 August 1949. In

this connection, we refer in particular to the escalation of Israeli repression against the Palestinian Arab people in the occupied Palestinian territory and against the population of the other occupied Arab territories, including the expulsion of Arab citizens from those territories, since the beginning of the uprising against the Israeli occupation;

6. Israel's continued annexation of Palestinian territory and other occupied Arab territories, including Jerusalem and the Syrian Golan, thereby violating the provisions of the Charter of the United Nations and the norms of international law;

7. Israel's continued aggression against Arab States and extension of such aggression to include Lebanon, Iraq and Tunisia;

8. Israel's continued co-operation with the racist régime in South Africa, particularly in the nuclear and economic fields;

9. The issuance in occupied Jerusalem of credentials for the Israeli delegation to the forty-fifth session of the General Assembly, in violation of Security Council resolutions, and particularly of resolution 478 (1980), and of related General Assembly resolutions, especially resolution 35/169 E of 15 December 1980.

I should be grateful if you would have this letter circulated as a document of the General Assembly under agenda item 3.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

UNITED NATIONS

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General Assembly Security Council

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GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Report of the Secretary-General

1. The present report is submitted in accordance with General Assembly resolution 44/42 of 6 December 1989 on the question of convening the International Peace Conference on the Middle East. The operative part of the resolution reads as follows:

"The General Assembly,

"...

"1. Reaffirms the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine;

"2. Calls once again for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination;

"3. Reaffirms the following principles for the achievement of comprehensive peace:

"(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories;

"(b) Guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries;

"(c) Resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions;

"(d) Dismantling the Israeli settlements in the territories occupied since 1967;

"(e) Guaranteeing freedom of access to Holy Places, religious buildings and sites;

"4. Notes the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process;

"5. Once again invites the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region;

"6. Requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter".

2. On 28 August 1990, the Secretary-General, in pursuance of the request contained in paragraph 6 of the above-mentioned resolution, addressed the following letter to the President of the Security Council:

"I have the honour to refer to resolution 44/42, adopted by the General Assembly on 6 December 1989, at its forty-fourth session, concerning the convening of the International Peace Conference on the Middle East. The text of the resolution is enclosed.

"Under operative paragraph 6 of resolution 44/42, I am requested to continue my efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter. In order to be assisted in the preparation of my report, I would be grateful if the views of the Security Council on the convening of the International Peace Conference on the Middle East could be conveyed to me by 30 September 1990."

3. On 22 October 1990, the President of the Security Council sent the following reply:

"I have the honour to refer to your letter of 28 August 1990 concerning the question of the convening of the International Peace Conference on the Middle East, by which you informed me of your desire to consult the Security Council once again, taking into account the relevant provisions of General Assembly resolution 44/42 of 6 December 1989.

"In accordance with your desire to be informed of the views of the members of the Security Council of this question, I have undertaken the necessary consultations.

"The members of the Security Council remain deeply preoccupied by the lack of progress in achieving peace in the Middle East and by the increasingly serious situation facing the occupied territories and their inhabitants. The prolonged delay in the settlement of the Middle East problem poses a grave threat to peace and security in the region as well as in the world. They note also that the situation in the region is aggravated by the presence of a high level of armaments in many Middle Eastern countries.

"The members of the Security Council are therefore convinced that efforts must be continued on an urgent basis to achieve a comprehensive, just and lasting settlement of the situation in the Middle East, particularly a solution to the Palestinian problem in all its aspects. In this regard several members outlined the necessity to step up efforts to convene an International Peace Conference on the Middle East under the aegis of the United Nations. These members of the Security Council request the Secretary-General to pursue his efforts and consultations in respect of the convening of an International Conference on the Middle East.

"These same members of the Council stressed that the Conference should be convened on the basis of General Assembly resolution 44/42, for which they expressed their support. The Assembly, inter alia, called for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination. They further stressed that any settlement should affirm and guarantee the right of all States in the region, including Israel, to exist within secure and internationally recognized boundaries and should also reaffirm and guarantee the right of the Palestinian people to self-determination, including the right to establish their own state.

"Several members of the Council indicated that the Security Council should begin urgent consideration of the situation in the Middle East with a view to reaching early agreement, in particular on the establishment of a preparatory committee for an International Peace Conference on the Middle

East. Some other members indicated that the parties directly concerned must reach agreement on the exact form of a Conference, which should not prejudge the outcome of the negotiations.

"One member of the Council indicated it could not support the convening of an International Peace Conference in accordance with the formula contained in resolution 44/42 as this resolution failed to address the centrality of direct negotiations among the parties and purported to determine in advance the outcome of issues which must be resolved in the course of negotiations. In the view of this member, a properly structured Conference could, at an appropriate time, facilitate direct negotiations. This member, however, considers that the time is not right to convene an international conference.

"Several members of the Council observed that the spirit of co-operation demonstrated recently over Iran/Iraq, Cambodia and Iraq/Kuwait had renewed faith in the United Nations ability to fulfil its duties in the maintenance of international peace and security. These members stressed their determination that the Council should be seen to be just and fair to all and that time and consequence should not be allowed to affect the upholding of the rule of law. These members of the Council therefore, believe the opportunity should be taken to renew efforts to resolve the Middle East problem, particularly the Palestinian question."

4. In a note verbale to the parties concerned, dated 19 July 1990, the Secretary-General sought the positions of the Governments of Egypt, Israel, Jordan, Lebanon, and the Syrian Arab Republic, respectively, and of the Palestine Liberation Organization, in regard to the International Peace Conference on the Middle East as called for in General Assembly resolution 44/42. The replies are reproduced below:

Note dated 30 October 1990 from the Permanent Mission of the Arab Republic of Egypt

"The Permanent Mission of the Arab Republic of Egypt to the United Nations ... with reference to the Secretary-General's note dated 19 July 1990, which referred to General Assembly resolution No. 44/42 and requested the views of the Government of Egypt on the convening of the International Peace Conference on the Middle East, has the honour to convey that the position of the Government of Egypt on this issue remains the same as that explained in the note from the Permanent Representative of Egypt to the Secretary-General No. 265/89 dated 18 October 1989, the text of which is contained in document A/44/731, dated 16 November 1989."

Note dated 27 September 1990 from the Acting Permanent Representative of Israel

"The Acting Permanent Representative of Israel to the United Nations ... has the honour to refer to [the Secretary-General's] note verbale dated 19 July 1990, regarding General Assembly resolution 44/42 of 6 December 1989, concerning the convening of the International Peace Conference on the Middle East.

"Israel has voted consistently against the General Assembly resolutions which called for the convening of an International Peace Conference on the Middle East.

"General Assembly resolution 44/42, while including a reference to Security Council resolutions 242 (1967) and 338 (1973), also affirms in its operative paragraph 3 a series of principles which prejudge and subvert the possible outcome of peace negotiations and the very principles contained in Security Council resolutions 242 (1967) and 338 (1973). Moreover, it calls for the participation in the International Conference of the PLO, a terrorist organization dedicated to the destruction of Israel which cannot be considered a partner to peace negotiations.

"Israel has long advocated direct negotiations as the most promising framework to advance the peace process in the Middle East. General Assembly resolution 44/42 proposes an International Peace Conference that is designed to substitute - rather than support - direct negotiations. Characteristically, the verb 'negotiate' or any of its derivatives, are not to be found in the resolution.

"Israel shares the observation reiterated by the Secretary-General in his report on the situation in the Middle East (A/44/737-S/20971 of 22 November 1989) that 'a thorough review of the peace process' is needed, 'with a view to adopting a pragmatic approach that would take fully into account the concerns and security interests of all the parties'.

"In seeking to advance the peace process the Government of Israel adopted on 14 May 1989 a peace initiative 'which deals with the continuation of the peace process; the termination of the state of war with the Arab States; a solution for the Arabs of Judea, Samaria and the Gaza district; peace with Jordan and a resolution of the problem of the residents of the refugee camps in Judea, Samaria and the Gaza district' (A/44/282 of 17 May 1989).

"General Assembly resolution 44/42 offers no viable alternative to Israel's peace initiative and support for it can only prejudice ongoing efforts to advance peace in the Middle East."

Note dated 3 October 1990 from the Permanent Representative of Jordan

"The Permanent Representative of the Hashemite Kingdom of Jordan to the United Nations ... with reference to the Secretary-General's note of 19 July 1990 on the question of convening the International Peace Conference on the Middle East, has the honour to state that Jordan's position with regard to that question has already been conveyed in its previous notes addressed to the Secretary-General on the matter, most recently notes MY/7/539 of 29 March 1988 and MY/7/1707 of 16 October 1989. That position can be stated as follows:

"1. Jordan supports the convening of an International Peace Conference on the Middle East under the auspices of the United Nations, at the invitation of the Secretary-General and with the participation of the five States permanent members of the Security Council and of the parties concerned, including the Palestine Liberation Organization.

"2. The Conference should be held on the basis of Security Council resolutions 242 (1967) and 338 (1973) and of the legitimate rights of the Palestinian people."

Note dated 25 September 1990 from the Permanent Representative of Lebanon

"With reference to your letters of 19 and 25 July 1990 pertaining to General Assembly resolutions 44/40 and 44/42, and further to the letter from the Mission circulated in document A/39/275-S/16584 of 25 May 1984, I have the honour to convey to you hereunder the official position of principle of the Lebanese Government on the question of Palestine and on the convening of the International Peace Conference on the Middle East:

"1. Lebanon agrees in principle to the convening of the International Peace Conference on the Middle East with a view to finding a just, comprehensive and lasting solution to the Middle East issue in accordance with the provisions of the relevant United Nations resolutions on the matter. It is prepared to participate in that Conference, as it notified you officially in the aforementioned letter of 25 May 1984 and in subsequent letters on the same matter.

"2. This does not mean that Lebanon agrees that a solution to its own issue should be linked with the Middle East issue. It considers that its own issue requires to be addressed separately and in an urgent manner in view of its pressing nature and its destructive impact on the country's political, economic and social structure, as stated in the address of Prime Minister Rashid Karami to the United Nations General Assembly on 5 October 1984.

"3. Lebanon's consent to participate in the International Peace Conference stems from the fact that it is one of the States involved in the Arab-Israeli conflict by virtue of the presence of more than half a million Palestinian refugees in its territory whose destiny will be decided by that Conference, and it seeks to participate in the discussion of issues that are of concern and interest to it either directly or indirectly.

"4. In the circumstances, Lebanon affirms its rejection of the notion that the Palestinians should be settled in its territory and, on the basis of its support for the right of peoples to self-determination, calls for recognition of the right of the Palestinian people to decide its own destiny and to establish a State on its own soil in accordance with the provisions of the resolutions of the United Nations General Assembly in this regard.

"5. Lebanon does not consider that it has a territorial problem, that is to say a problem regarding territory with any State whatever, that is open to discussion or negotiations. Its boundaries are established and internationally recognized, and it is committed to its right to full sovereignty and independence. The question of Israeli occupation and Israeli practices in southern Lebanon should be addressed by giving effect to the will of the international community as expressed in Security Council resolutions 425 (1978), 508 (1982) and 509 (1982), which call for the full and unconditional withdrawal of Israel from Lebanese territory, by enabling the United Nations Interim Force in Lebanon to carry out in full the task entrusted to it by deploying up to the internationally recognized boundaries and ensuring international peace and security, by assisting the Government to exercise its right to extend its authority and sovereignty over all of its territory and by then transforming the South into a zone of peace.

"6. Lebanon reaffirms its commitment to the General Armistice Agreement of 1949 which remains in force, as affirmed by the successive Security Council resolutions of relevance, as long as it is not replaced by another agreement and as long as a just, comprehensive and lasting solution to the Arab-Israeli conflict is not found."

Note dated 5 September 1990 from the Permanent Representative of the Syrian Arab Republic

"The Permanent Representative of the Syrian Arab Republic to the United Nations ... has the honour to transmit below the reply of the Government of the Syrian Arab Republic to [the Secretary-General's] note dated 19 July 1990, concerning the implementation of General Assembly resolution 44/42 of 6 December 1989, concerning the Question of Palestine.

"We are striving for peace in our region through the creation of just and lasting solutions to the crises that are increasing the tension there. Accordingly, the Syrian Arab Republic is striving for a just and comprehensive solution to the Arab-Israeli conflict on the basis of United Nations resolutions and through an International Peace Conference, already convened in 1973 under the auspices of the United Nations and with the participation of the United States of America and the Union of Soviet Socialist Republics. We believe that this Conference's resumption of its work could form a suitable opportunity for the achievement of a just and stable peace."

Note dated 11 September 1990 from the Permanent Observer of Palestine

"With reference to your note dated 19 July 1990 addressed to us, we have the honour to transmit to you herewith the reply of His Excellency Mr. Yasser Arafat, President of the State of Palestine and Chairman of the Executive Committee of the Palestine Liberation Organization:

'I thank you for your note in which you solicit our views on the measures set forth in General Assembly resolution 44/42, and I should like to assure you of our gratitude for the follow-up action you have taken on that resolution. I express to you the hope that the States concerned will have replied in a positive manner with a view to co-operating with the United Nations and with you personally in the implementation of the principles set forth in the resolution. You are well aware that the compliance of the parties concerned with those provisions would encourage respect for international law, adherence to international legitimacy and support for the United Nations and its organs.

'In my statement of 29 August 1990 to the Seventh United Nations International NGO Meeting on the Question of Palestine at Geneva, I stated that the Gulf crisis had demonstrated in a clear and decisive manner the vistas for which the United Nations could strive with a view to the implementation of its resolutions relating to the question of Palestine or any other issue. This is clear and obvious given the visible dispatch and zeal displayed by the United States of America in stirring the Security Council to act and to adopt resolutions and in its insistence on the implementation of those resolutions with extraordinary speed. I do not wish to speak here of the Gulf crisis. I have informed you of our initiative in this connection on a previous occasion, and I spoke of it at length in my aforementioned address. I here wish only to refer to the mode of action that the United Nations or any of its organs might adopt for the implementation of the resolutions relating to the question of Palestine. Those resolutions are many, and dozens of them have been adopted by consensus of the 15 members of the Security Council, by an overwhelming majority in the United Nations General Assembly or without a vote.

'With regard to the principles, provisions and arrangements set forth in General Assembly resolution 44/42, I should like to refer to the fact that I indicated our position in this regard in my statement to the Security Council at Geneva in September 1990, to our meeting with you at the United Nations Office at Geneva, and to my message to the International NGO Meeting at Geneva in August 1990. I should like to inform you that the Palestine Liberation Organization supports the principles, provisions and arrangements set forth in that resolution and that it views them as the appropriate mechanism for imparting a strong forward impetus to the peace process in the Middle East. The principles in question can bring about a just and lasting peace in the region since they have it in view to end the Israeli occupation of the occupied territory of the State of Palestine and to eliminate the suffering of our people by securing its protection so as to enable the States of the region, including those named in resolution 181 (II), to live in security and peace. Accordingly, we view the convening of the International Conference as the best mechanism for achieving a just peace in the region. We are most hopeful that you will be able to convene the preparatory committee for that purpose in the very near future.

'In this context, I should like to convey to you our regret that the Security Council has not yet acted in response to the request of the General Assembly relating to the convening of the International Peace Conference in the Middle East on the basis of General Assembly recommendations which secured 151 votes. Furthermore, the members of the Security Council, and in particular its five permanent members, have agreed upon and adopted an encouraging and unified stand with regard to the resolution of other regional conflicts such as, merely by way of example, those in Afghanistan and Cambodia. We are most hopeful that such international concord in the Security Council will extend to embrace the question of Palestine so that the Council can consider measures needed to convene the International Peace Conference on the Middle East and the provision of the necessary guarantees for the achievement of a peaceful and just solution on the basis of the relevant United Nations resolutions and of their implementation with an earnestness similar to that with which the Council implements other resolutions.'"

* * *

Observations

5. It is clear from the communications set out above that sufficient agreement does not exist, either within the Security Council, or amongst the parties to the conflict, to permit the convening of the International Peace Conference on the Middle East as called for in resolution 44/42, which like 43/176 before it, was adopted with much wider support than earlier General Assembly resolutions concerning an international conference. It is, in essence, a reaffirmation by the international community of the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict. This sense of urgency is underscored by the members of the Security Council who, as indicated in the President's letter to me of 22 October 1990, remain deeply preoccupied by the lack of progress in achieving peace in the Middle East and by the increasingly serious situation facing the occupied territories and their inhabitants. I fully share the view of the Council that a prolonged delay in the settlement of the Middle East problem poses a grave threat to peace and security in the region as well as the world, and that the situation in the region is aggravated by the presence of a high level of armaments in many Middle Eastern countries.

6. It is thus encouraging to note that there is unanimity within the Security Council that efforts must be continued on an urgent basis to achieve a comprehensive, just and lasting settlement of the situation in the Middle East, particularly a solution of the Palestinian problem in all its aspects. That said, I must add that I am deeply concerned by the absence, at present, of any diplomatic process aimed at overcoming the obstacles to an effective negotiating process in the Middle East. Regrettably, since my last report to the General Assembly on this subject, bilateral efforts to promote a dialogue between Israelis and Palestinians have reached an impasse. As for the parties themselves, while it is possible to identify in each of their notes to me a willingness to achieve a settlement through negotiations, it is evident that there is a divergence of views as to the framework

and the context within which such negotiations should take place. It is worth noting, in this connection, that the positions of the parties with respect to an international conference have evolved in recent years.

7. For my part, I continue to believe that a negotiating process will only be effective if it involves all the parties concerned, including the Palestine Liberation Organization, and aims at a just and lasting settlement of the Arab-Israeli conflict based on Security Council resolutions 242 (1967) and 338 (1973) and the legitimate political rights of the Palestinian people, including self-determination. Given the grave dangers in the region that are evident to all, I cannot reiterate too strongly the need to revive efforts aimed at ensuring a just and lasting settlement of a conflict that, for decades, has been a source of continuing instability and has brought immense suffering to Arabs and Israelis alike.

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Agenda items 29 and 118

THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

Programme budget implications of draft resolution A/45/L.3

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 21st and 23rd meetings, on 5 and 6 November 1990, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/45/25 and Corr.1) on the programme budget implications of draft resolution A/45/L.3. The Fifth Committee had before it the related report of the Advisory Committee on Administrative and Budgetary Questions (A/45/7/Add.4).

2. Statements and comments made in the course of the Committee's consideration of this item are reflected in the relevant summary records (A/C.5/45/SR.21 and 23).

3. Following the decision of the Committee, the representative of Afghanistan made a statement.

DECISION OF THE FIFTH COMMITTEE

4. Based on the statement by the Secretary-General on the programme budget implications and on the recommendation of the Advisory Committee on Administrative and Budgetary Questions, the Fifth Committee decided, without a vote, to inform the General Assembly that, should it adopt draft resolution A/45/L.3, an additional appropriation of $6,150,000 would be required under section 1 (Overall policy-making, direction and co-ordination) of the programme budget for the

biennium 1990-1991. Furthermore, these additional requirements should be provided without recourse to the contingency fund. In addition, an additional appropriation of $336,100 would be required under section 31 (Staff assessment), offset by the same amount under income section 1 (Income from staff assessment).

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Forty-fifth session
Agenda item 153
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-fifth year

Letter dated 6 November 1990 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General

Further to our note dated 4 September 1990 (S/21695) and upon instructions from my Government, I have the honour to enclose herewith a memorandum on the adverse economic and financial impact on the Sudan resulting from the Gulf crisis.

As the full implementation by the Sudan of the provisions of Security Council resolution 661 (1990) has given rise to special economic problems, I have the honour, in accordance with Article 50 of the Charter, to request urgent consultations with the Security Council Committee established by resolution 661 (1990) with a view to overcoming these problems.

I would be grateful if you could have this letter and its annex circulated as an official document of the General Assembly, under agenda item 153, and of the Security Council.

(Signed) Joseph LAGU
Permanent Representative

ANNEX

Memorandum on the adverse economic and financial impact on the Sudan resulting from the Gulf crisis

Sudan has faced a deteriorating economic situation during the last few years resulting from recurrent drought and rainfall shortages, influx of refugees and displaced people, as well as the armed conflict in the southern part of the country.

Despite all efforts exerted by the Government to mitigate the situation by adopting stringent economic reforms, the economic situation was lately aggravated by the Gulf crisis that laid adverse, direct and indirect economic and financial impact on the Sudanese economy.

Following is a brief outline of the direct and indirect impact:

	United States dollars (Millions)
A. Direct impact:	
1. The Gulf crisis is creating severe problems to the Sudanese economy. The most immediate of these problems have already been felt in the sharp increase in oil prices. At the current price of $40 per barrel, the country will have to pay an additional $200(M)	200
2. As for wheat which could have been bought at a highly favourable price ($130/ton) from Saudi Arabia, the country will lose $60 million, i.e., 9 months' supply of 450 tons	60
3. Another direct consequence of the crisis is the freezing of the trade protocol with Iraq and the expected delay in the implementation of the trade protocol with Jordan; the size of the two protocols is $100(M)	100
4. Export earnings are also expected to shrink considerably since the Gulf States have recently become an important market for some of our traditional export commodities. The drop in the expected revenue from these exports is now anticipated as follows:	
	360

		United States dollars (Millions)	
	(Brought forward)		360
(a)	Livestock	70	
(b)	Vegetables and fruit	20	
(c)	Sesame	15	
(d)	Sorghum	70	175

5. The second area where the economy is expected to suffer is the remittances from the Sudanese working in the Gulf and who used to be a major source of import financing. Revenue from this source is anticipated to drop by about 30 per cent as a result of the atmosphere of uncertainty created by the crisis. Moreover, those who returned home have lost their jobs, properties and probably their savings; and have already started to exert an additional pressure on our meagre resources and services. Loss in remittances plus expenses on those who returned to reach $300(M) — 300

6. Project aid from the Kuwaiti Fund and the Arab Fund has, for practical reasons, come to a halt. Drawings from these two institutions are estimated at $200(M) during fiscal year 1990/91. These were allocated to finance most urgently needed and vital projects whose main objectives are to boost production of essential commodities and eliminate serious infrastructural bottle-necks — 200

7. General increase in freight and insurance is estimated at $20(M) — 20

8. Expected increases in exports of industrial countries due to higher oil prices are estimated at $130(M) — 130

Total direct adverse financial impact of the Gulf crisis on the Sudan's external account is estimated at — 1 185

B. Indirect impact:

The Gulf crisis has also an indirect impact on the country's general budget and the performance of its economy at large. Subsidies on petrol, wheat and medicine are expected to reach L.S. 4 billion (about $1 billion). This will incur more borrowing from the banking system and hence cause an increase in the supply of money. Such measures will lead to higher rate of inflation, with all its adverse consequences on incentives to producers and the performance of the economy on the macro level.